



County of Los Angeles
CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
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WILLIAM T FUJIOKA
Chief Executive Officer

July 13, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:
MARINA DEL REY TIDEGATE REHABILITATION PROJECT
APPROVE MITIGATED NEGATIVE DECLARATION
ADOPT MITIGATION MONITORING AND REPORTING PROGRAM
APPROVE REVISED TOTAL PROJECT BUDGET
APPROVE TRANSFER AGREEMENT
CAPITAL PROJECT NO. 88930
(THIRD DISTRICT) (4 VOTES)**

SUBJECT

Approval of the recommended actions will adopt the Mitigated Negative Declaration, allow the Department of Public Works to proceed with rehabilitation of the Marina del Rey Tidegate facility at Via Marina and allow for transfer of ownership of the rehabilitated Tidegate facility and related property interests to the City of Los Angeles.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Consider the Mitigated Negative Declaration for the Marina del Rey Tidegate Rehabilitation project together with any comments received during the public review period, find that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Board and adopt the Mitigation Monitoring and Reporting Program, finding that the Mitigation Monitoring and Reporting Program is adequately designed to ensure compliance with the mitigation measures during project implementation, find on the basis of the whole record before the Board that there is no substantial evidence the project will have a significant effect on the environment, and adopt the Mitigated Negative Declaration.

"To Enrich Lives Through Effective And Caring Service"

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Board of Supervisors
GLORIA MOLINA
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BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

#17 JULY 20, 2010

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

2. Approve the revised scope of work and total project budget of \$2,500,000 for the Marina del Rey Tidegate Rehabilitation Project, which is funded with the Department of Beaches and Harbors operating savings of \$415,000 and Marina Replacement Accumulated Capital Outlay funds of \$2,085,000, and authorize the Director of Public Works to deliver the project using the Department of Public Works' Job Order Contracting program.
3. Find that the Tidegate facility and related property interests are not required for County use.
4. Approve and authorize the Chair to sign the Tidegate Transfer Agreement by and between the County of Los Angeles and the City of Los Angeles, to transfer ownership of the Tidegate facility and related property interests at Via Marina from the County of Los Angeles to the City of Los Angeles after a 90-day testing period following completion of the rehabilitation project and upon approval of the Tidegate Transfer Agreement by the City of Los Angeles.
5. Authorize the Chair to sign the Quitclaim Deed and Easement for Marina Tidegate and Quitclaim of Ballona Creek Easement in substantially similar form to Exhibits B and C to the Tidegate Transfer Agreement, when presented by the Director of Beaches and Harbors and approved as to form by County Counsel.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will adopt the Mitigated Negative Declaration (MND), allows Department of Public Works (Public Works) to proceed with rehabilitation of the Marina del Rey Tidegate facility at Via Marina and allow for transfer of ownership of the rehabilitated Tidegate facility and related property interests to the City of Los Angeles (City).

The Marina del Rey Tidegate facility at Via Marina is a key public infrastructure component that allows for a constant tidal exchange between the environmentally sensitive Ballona Lagoon/Grand Canal and the Marina del Rey Channel and helps control the water surface elevation in the Ballona Lagoon/Grand Canal to prevent flooding of the adjacent residential properties. The Tidegate facility at Via Marina is currently owned by the County of Los Angeles (County) and operated and maintained by the Department of Beaches and Harbors (Beaches and Harbors). The Tidegate facility at Via Marina consists of an inlet structure at the south end of the Grand Canal, three 84-inch discharge pipes extending underneath Via Marina, and an outlet structure with motorized slide and flap gate assemblies at the Marina del Rey Channel.

The Tidegate facility was originally built in the late 1950s, is in poor condition and in need of repairs. The rehabilitation work will consist of repairing the discharge pipes, replacing the slide and flap gate assemblies, including the motorized operating equipment at the outlet, and miscellaneous concrete repairs at the inlet and outlet structures. The rehabilitation work will automate control of the facility to enhance the reliability and functionality of the current processes and to reduce operating costs. Construction will begin in September 2010 and will be substantially completed by April 2011.

The existing Tidegate facility at Via Marina is located at the south end of the Grand Canal and is manually operated by Beaches and Harbors, in conjunction with the City, which owns and operates the Venice Tidegate facility located upstream at the north end of the Grand Canal (just south of Washington Boulevard).

The Tidegate facility at Via Marina primarily serves territories and waterways within the jurisdiction of the City and does not benefit the County or the Marina, and the County and City both mutually agree that it would be preferable to have one jurisdiction operate and maintain both tidegate facilities to ensure a more efficient and coordinated operation. Therefore, we recommend approval of the attached Tidegate Transfer Agreement (Agreement) that would transfer ownership of the Tidegate facility and related property interests at Via Marina from the County to the City after a 90-day testing period following completion of the rehabilitation project.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Community and Municipal Services (Goal 3), by investing in public works infrastructure improvements.

FISCAL IMPACT/FINANCING

The total project cost, including plans and specifications, plan check, construction, consultant services, miscellaneous expenditures, and County services, is currently estimated at \$2,500,000. On June 22, 2004, your Board approved a total project budget of \$1,295,000 for this project using Marina Replacement Accumulated Capital Outlay (ACO) funds. The additional \$1,205,000 needed to fully fund this project was previously approved by your Board on September 25, 2007 to add \$790,000 for this project using Marina Replacement ACO funds, and on September 22, 2009 to add \$415,000 using the Department of Beaches and Harbors' Fiscal Year (FY) 2008-09 operating savings. The additional funding was requested to fund increased estimated costs due to inflation, expanded scope of work primarily to strengthen the large conduits under the road by inserting a liner surrounded with pumped-in grout, and additional

environmental documentation which required field and biological surveys. The Project Schedule and Budget Summary are included in Attachment A.

Sufficient appropriation is available in the FY 2010-11 Capital Project Budget (Capital Project 88930) to fully fund the project. The project will be funded with \$2,500,000 from the Marina Replacement ACO Fund.

Operating Budget Impact

Currently, Beaches and Harbors spend approximately \$10,000 annually to operate and maintain the existing Tidegate facility. Following completion of the improvements, Beaches and Harbors anticipates no start-up and no additional operational costs. Once the Tidegate is transferred to the City, there will be no further maintenance or operational costs incurred by the County.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The plans and specifications for the rehabilitation of the Marina del Rey Tidegate facility at Via Marina were prepared by Public Works and approved by the City. On November 14, 2007, the California Coastal Commission approved a Coastal Development Permit for this project. On October 9, 2009, the California Coastal Commission extended the permit to November 15, 2010.

The project also requires permits from the Regional Water Quality Control Board and the United States Army Corp of Engineers. Upon the Board's approval to proceed with this project, Public Works will submit the applications along with the Board adopted MND to obtain the Clean Water Act Section 401 Water Quality Certification and the Clean Water Act Section 404 Nationwide Permit.

The proposed Agreement with the City obligates the City to accept transfer of ownership of the Tidegate facility upon the County's completion of the rehabilitation of the Tidegate facility and a 90-day testing period. In addition, the Agreement provides for transfer of easement rights to the City through the seawall lining the Marina del Rey Channel where the Tidegate facility is located and quitclaims a County easement over a portion of the Ballona Lagoon adjacent to the Marina Tidegate that is not needed for County purposes, and upon which the City previously has constructed improvements consisting of a wood view deck for the public benefit.

This transaction is authorized by Government Code Section 25365. Notice of this intended action was published pursuant to Government Code Section 6061 one week

prior to this meeting in a newspaper of general circulation. County Counsel has approved the Agreement as to form.

ENVIRONMENTAL DOCUMENTATION

In compliance with the California Environmental Quality Act (CEQA), an Initial Study was prepared for the proposed project. The Initial Study identified potentially significant effects of the project on biological resources and noise. Prior to the release of the proposed MND and Initial Study for public review, revisions in the project were made or agreed to which would avoid the significant effects or mitigate the effects to a point where clearly no significant effects would occur, as follows:

- **Biological Resources:** Should construction activities occur during breeding season for certain migratory birds, a preconstruction survey shall be performed to protect birds within 300-500 feet of the construction area and construction limits shall be established and personnel trained in the sensitivity of the area.
- **Noise:** Construction activities will be limited to certain hours and conducted in such a manner not-to-exceed established noise levels in accordance with the County Noise Ordinance to limit impacts to nearby residences.

The Initial Study and project revisions showed that there is no substantial evidence, in light of the whole record before the County, that the project as revised may have a significant effect on the environment. Based on the Initial Study and project revisions, an MND was prepared for this project. The proposed Mitigation Monitoring and Reporting Program (Section 8 of Attachment B) was prepared to ensure compliance with the environmental mitigation measures included as part of the final MND (Attachment B) relative to these areas during project implementation. There have been no changes to the proposed project since circulation of the environmental document. The final MND also contains an analysis of climate change. However, this new information, along with other revisions to the MND, does not constitute a substantial revision of the MND.

Public Notice was published in The Argonaut on April 19 and 26, 2007, pursuant to Public Resources Code Section 21092 and posted pursuant to Section 21092.3. During the 30-day comment period, four written responses were received from the following public agencies: The Governor's Office of Planning and Research (State Clearinghouse), the California Department of Fish and Game, the Department of Transportation (CALTRANS), and the City. In addition, one written response in support of the project was received from the "Voice of the Canals" residents' organization. All comments received, as well as responses to the comments, are contained in the final

MND (Section 7 of Attachment B) and have been sent to these agencies pursuant to Section 21092.5.

The location of the documents and other materials constituting the record of the proceedings upon which your Board's decision is based in this matter is the County of Los Angeles Department of Public Works, Project Management Division I, 900 South Fremont Avenue, 5th Floor, Alhambra, CA 91803. The custodian of such documents and materials is Edward Andrews, County of Los Angeles Department of Public Works.

The project is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. Upon your Board's adoption of the MND, Public Works will file a Notice of Determination in accordance with Section 21152(a) of the California Public Resources Code and pay the required filing and processing fees with the Registrar-Recorder/County Clerk in the amount of \$2,085.25.

CONTRACTING PROCESS

A Public Works' Job Order Contract will be utilized to complete the rehabilitation work for the Marina del Rey Tidegate facility at Via Marina.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The rehabilitation work for the Marina del Rey Tidegate facility at Via Marina shall be conducted in phases in order to keep the facility operational and functional during construction.

The Honorable Board of Supervisors
July 13, 2010
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CONCLUSION

Please return an adopted copy of this letter to the Chief Executive Office, Capital Projects Division; Beaches and Harbors; and Public Works, Project Management Division I. In addition, please return six copies of the Agreement and one copy of the quitclaim deed and easement documents with original signatures to Beaches and Harbors.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:GF:SK
DJT:JT:zu

Attachments

c: Executive Office, Board of Supervisors
Arts Commission
Assessor
Auditor Controller
Beaches and Harbors
County Counsel
Public Works
Registrar Recorder/County Clerk

July 13, 2010

ATTACHMENT A

**DEPARTMENT OF PUBLIC WORKS:
MARINA DEL REY TIDEGATE REHABILITATION PROJECT
APPROVE MITIGATED NEGATIVE DECLARATION
ADOPT MITIGATION MONITORING AND REPORTING PROGRAM
APPROVE REVISED PROJECT BUDGET
APPROVE TRANSFER AGREEMENT
CAPITAL PROJECT NO. 88930**

I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Date
Construction Award (JOC)	08/13/10
Construction Start	09/13/10
Substantial Completion	04/15/11
Final Acceptance	06/17/11

July 13, 2010

II. PROJECT BUDGET SUMMARY

Budget Category	Proposed Budget
Land Acquisition	\$ 0
Construction	
Low Bid Construction Contract	\$ 0
Job Order Contract	1,650,000
Change Orders	165,000
Departmental Crafts	0
Youth Employment	0
Construction Consultants	0
Misc. Expense (Gordian Group Fees)	33,000
Telecomm Equip – Affixed to Building	0
Civic Arts	0
Subtotal	\$ 1,848,000
Programming/Development	\$ 0
Plans and Specifications	\$ 212,676
Consultant Services	
Site Planning	\$ 0
Hazardous Materials	0
Geotechnical/Soils Report and Soils Testing	21,695
Materials Testing/Deputy Inspection	20,000
Cost Estimating	0
Topographic Surveys	0
Construction Management	0
Construction Administration	0
Environmental	52,774
Move Management	0
Equipment Planning	0
Legal	0
Construction/Change Order	0
Other: Biological Survey	30,270
Subtotal	\$ 124,739
Miscellaneous Expenditures	\$ 7,050
Jurisdictional Review/Plan Check/Permit	\$ 4,000
County Services	
Code and Contract Compliance Inspection	\$ 90,350
Design Review	0
Design Services	12,940
Contract Administration	11,120
Project Management	164,527
Project Management Support Services	0
ISD Job Order Contract Management	0
DPW Job Order Contract Management	0
ISD ITS Communications	0
Project Security	0
Project Technical Support	21,598
Office of Affirmative Action	3,000
County Counsel	0
Other:	0
Subtotal	\$ 303,535
TOTAL	\$2,500,000

July 13, 2010

ATTACHMENT B

**DEPARTMENT OF PUBLIC WORKS:
MARINA DEL REY TIDEGATE REHABILITATION PROJECT
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APPROVE TRANSFER AGREEMENT
CAPITAL PROJECT 88930**

**MITIGATED NEGATIVE DECLARATION
(See Attachment)**

FINAL

**MARINA DEL REY TIDE GATE
REHABILITATION PROJECT**

**INITIAL STUDY AND
MITIGATED NEGATIVE DECLARATION**

Prepared for:

County of Los Angeles, Department of Public Works
900 South Fremont Avenue, 11th Floor
Alhambra, CA 91803-1331

December 2009

SCH #2007041136

Prepared by:

URS

URS Corporation
2020 East First Street, Suite 400
Santa Ana, CA 92705
714-835-6886 Fax: 714-433-7701

URS Project No. 29870426

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
MARINA DEL REY TIDE GATE REHABILITATION PROJECT
FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

The Marina del Rey Tide Gate Rehabilitation Project Draft Initial Study/Mitigated Negative Declaration (IS/MND) was circulated for public review by the County of Los Angeles, Department of Public Works between April 16, 2007 and May 15, 2007. During this public review period, three letters of comment were received from public agencies and one letter of comment was received from a local resident group. All letters received and responses to comments are included in Section 7.0, *Response to Comments*. In response to comments, and newly developed greenhouse gas (GHG) guidelines and policies, revisions have been made to the text of the Draft IS/MND. The significance determination has not changed since the Draft IS/MND was circulated for public review; however, mitigation measures have been added, altered, and clarified. Changes to the Draft IS/MND include:

- Document reformatting, and minor editorial and grammatical corrections to provide improved readability;
- Clarification and further explanation of each issue area contained in the environmental checklist;
- Addition of an air quality analysis performed for the Project, which includes an analysis of GHG emissions;
- Addition of a noise analysis performed for the Project;
- Modification and addition of mitigation measures for biological resources and noise.

The aforementioned changes have been incorporated directly into the Final IS/MND. All changes and additions to mitigation measures have been added to the Section 8.0, *Mitigation Monitoring and Reporting Program*, which provides a checklist to fulfill the Project's mitigation monitoring and reporting requirements under the California Environmental Quality Act (CEQA). Changes made to this document are not considered a "substantial revision" to the IS/MND pursuant to CEQA Guidelines Section 15073.5, which requires recirculation of the IS/MND if:

- a) New, avoidable significant effects have been identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or
- b) The proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required.

No revisions to the scope of the Marina del Rey Tide Gate Rehabilitation Project have occurred since the Draft IS/MND was circulated for public review. The Draft IS/MND was revised in response to written and verbal comments to clarify and support information previously presented in the circulated document. Mitigation measures revised, replaced or added would not create new significant environmental effects and are equal or more effective measures pursuant to CEQA Guidelines Section 15074.1. A detailed record of revisions to the Draft IS/MND is provided in the following revisions and clarifications section. Thus, and pursuant to CEQA Guidelines Section 15073.5, recirculation of the document for public review is not required.

**REVISIONS AND CLARIFICATIONS
FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
PROPOSED MARINA DEL REY TIDE GATE REHABILITATION PROJECT**

These revisions and clarifications provide minor corrections to the IS/MND circulated for public review from April 16, 2007 through May 15, 2007 for the Marina del Rey Tide Gate Project (Project), and provides further clarification of some issue areas contained in the environmental checklist. Since the public review period, certain changes to the IS/MND have been made to reflect current conditions with respect to the Project, although the project description has not changed from that contained in the circulated document. Pursuant to Section 15073.5 of the CEQA Guidelines, recirculation is required when a document must be substantially revised after public notice has been given. "Substantial revision" is defined under CEQA to mean (1) a new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance; or (2) the lead agency determines that the proposed mitigation measures or project revisions will not reduce the potential effects to less than significance and new measures or revisions must be required. Although, mitigation measures have been added and/or clarified, these clarifications and additions to the original document do not change the Project's significance determination and would not necessitate recirculation of the document.

Minor editorial revisions and grammatical modifications have been made, and supplementary information has been added to the Final IS/MND (as included herein) as part of the CEQA process. Editorial and grammatical corrections were limited to those that would not change the Project scope or any findings and conclusions as originally presented in the original document. Revisions and additions to the Final IS/MND are included to increase the effectiveness of mitigation measures and minimize Project impacts to maximum extent practicable. Finally, and for clarity and readability, the format of the original document has been revised to reflect the format set forth in Appendix G of the State CEQA Guidelines. For this reason, it is infeasible to list revisions to the document by the page number of the original document. Rather, revisions are listed by the respective section numbers of this IS/MND, with reference to the original document section and page numbers, when applicable.

Table of Contents

The Table of Contents has been updated to include a List of Tables resulting from the addition of Table 1 (Planned Projects Within One Mile of Project Area) in Section 4.17 (Mandatory Findings of Significance) of this document.

Section 1.0 Introduction

An introductory section was added to explain the CEQA process for the Project and to summarize the format of the IS/MND. The brief Project summary found on page 4 of the original document has been incorporated into the opening paragraph of this section of the revised IS/MND, followed by *Section 1.1 CEQA Process*, which gives an overview of the CEQA process and the public review period. *Section 1.2 Document Format* lists and summarizes the eight sections of the IS/MND and lists the four CEQA designations, which were originally found in *Section 3.0 CEQA Designations* (page 2) of the original document.

Section 2.0 Project Description

The Project description and details were previously contained in *Section 5.0 Initial Study and Project Information* (pages 4-7) of the original document. All relevant Project information from this section has been incorporated into *Section 2.0 Project Description* of the IS/MND, which has been divided into the following three subsections:

2.1 Project Location

This section incorporates information from *Project Location* (page 3), *General Zoning* (page 3), and *Environmental Setting* (page 6) of the original document. Supplemental information about the Project site and setting has also been included. In addition, the text has been revised to improve clarity and flow, and images of the Project area have been added.

2.2 Project Background

This section incorporates information from *Project Purpose* (page 5) and *Project Goals* (page 5) of the original document with supplemental information about the tide gate facility. Original text has been revised to improve clarity and flow, and images of the Project area have been added.

2.3 Description of Project

This section incorporates information from *Construction Methods* (page 5) and *Construction Schedule* (page 6) of the original document with supplementary Project details. The *Construction Scenario* subheading has been added to the revised document for better organization of the text. In addition, the original text has been revised to improve clarity and flow, and images of the Project area have been added.

Figures

Figures 1-3, previously located after *Section 9.0 References* of the original document have been moved to the end of *Section 2.0 Project Description* of the IS/MND. Figures 1 and 2 were updated with minor changes to the text.

Section 3.0 Environmental Checklist

This section contains the following list of information originally found in *Section 5.0 Initial Study and Project Information* (pages 4-7) of the original document:

1. Project Title
2. Lead Agency
3. Contact Person(s)
4. Project Sponsor
5. Project Location
6. General Plan Designation
7. City Council District
8. County District
9. Brief Description of Project
10. Surrounding Land Uses/Setting
11. Public Agency Approvals

Contact information for the Project was updated, and information regarding the types of permits required by public agencies has been included in this section of the IS/MND.

Section 1.0 Environmental Factors Potentially Affected (page 1) in the original document is now *Section 3.1 Environmental Factors Potentially Affected* in this IS/MND. Areas of potential impact remain the same.

Section 2.0 Determination (page 1) in the original document is now included under *Section 3.2 Determination*. Significance determination for the Project remains the same.

The environmental checklist for all issue areas (previously page 8-37) has been separated from the impact discussions and moved to *Section 3.0 Environmental Checklist* of the IS/MND for readability. Changes to findings are covered in *Section 4.0 Impacts and Mitigation Measures* below.

Section 4.0 Impacts and Mitigation Measures

This section was originally *Section 6.0 Environmental Checklist and Discussion* (pages 8-37) in the original document, which has been renumbered as Section 4.0. The CEQA environmental checklist that was previously included with the issue area discussions has been removed from this section of the IS/MND and is now included in *Section 3.0 Environmental Checklist*, as stated above. All CEQA questions previously numbered 6.x have been renumbered as 4.x.

4.1 Aesthetics

This section contains information found in *Section 6.1 Aesthetics* (pages 8-9) of the original document. The revised IS/MND addresses questions 4.1(a) through 4.1(d) in this section separately. Further, the description of Project activities and location has been expanded. In addition, minor editorial and grammatical corrections have been made to improve the clarity and flow of each answer. Findings for these questions have not changed as a result of the referenced revisions.

4.2 Agricultural Resources

This section contains information found in *Section 6.2 Agriculture Resources* (pages 9-10) of the original document, which addressed CEQA questions 6.2(a) through 6.2(c). The revised IS/MND addresses questions 4.2(a) through 4.2(c) in this section separately and includes an expanded discussion of the Project area pertaining to farmlands & the Williamson Act. Minor editorial and grammatical corrections have also been made to improve the clarity and flow of each answer. Findings for these questions have not changed as a result of the referenced revisions.

4.3 Air Quality

This section contains information found in *Section 6.3 Air Quality* (pages 10-11) of the original document, which addressed CEQA questions 6.3(a) through 6.3(e). The revised IS/MND addresses questions 4.3(a) through 4.3(e) in this section separately and includes an expanded discussion of Project construction and operation activities that may impact air quality. A site-specific air quality analysis was conducted for the Project after circulation of the Draft IS/MND for public review. This IS/MND incorporates the findings of this analysis into the discussions for each CEQA question related to air quality, the findings of which do not result in new significant effects or increased effects previously identified. Minor editorial and grammatical corrections have also been made to improve the clarity and readability of each answer.

Finally, and in light of pertinent enacted legislation [e.g., Assembly Bill (AB) 1493, AB 32, and Senate Bill (SB) 97], a Global Climate Change analysis has been added to the IS/MND to assess the project's greenhouse gas emissions. The addition of the Global Climate Change analysis, and all other revisions made for purposes of clarity as described above, do not affect the findings as originally presented in the Draft IS/MND.

4.4 Biological Resources

This section contains information found in *Section 6.4 Biological Resources* (pages 11-15) of the original document. Questions 4.4(a) through 4.4(f) in this section are now addressed individually. The discussion and answers to each question include an expanded discussion of the Project activities and the available biological resources within the Project area in support of each finding. Minor editorial and grammatical corrections have also been made to the text to improve the clarity and flow of each answer.

The findings for questions 4.4(a) and 4.4(d) have been changed to "Less Than Significant With Mitigation Incorporated" to be consistent with the text used in Appendix G (Environmental Checklist Form) of the CEQA Guidelines. However, the impact level for this finding is equivalent to the previous findings presented in the original document and does not result in identification of any new avoidable significant effects or increase in severity of a previously identified effect.

The findings for questions 4.4(b), 4.4(c), 4.4(e), and 4.4(f) have been changed to "Less Than Significant." The impact levels have decreased since the Draft IS/MND as a consequence of focused field surveys in 2007.

Question 6.4(g) in the original IS/MND, which covers eelgrass and eelgrass habitat, is not a question specifically included in Appendix G (Environmental Checklist Form) of the CEQA Guidelines and, therefore, has been excluded from this IS/MND Checklist. However, Eelgrass and its habitat are addressed within question 4.4(a) in the revised IS/MND.

Finally, Mitigation Measure BIO-1 has been expanded upon and clarified in this IS/MND. More specifically, Mitigation Measure BIO-1 as presented in the Draft IS/MND covered only least terns, and read as follows:

BIO- 1 Project activities within the least tern occupancy period of March through September will be constrained to the maximum extent possible to avoid adverse impacts to terns and other listed and sensitive species. Construction work performed within 1,000 feet of potential habitat during the period of March through September will be monitored by a qualified biologist in order to avoid adverse impacts to terns and other wildlife. Additionally, the construction area will be minimized to the maximum extent feasible in order to reduce the temporary impacts to least tern foraging grounds. Currently, the temporary reduction in foraging grounds will be limited to no more than 0.04 acres within the Grand Canal and Marina Channel.

To clarify and further ensure avoidance of adverse impacts to least terns as well as other bird species protected under the Migratory Bird Treaty Act, Mitigation Measure BIO-1 has been expanded upon to include other species and contains specific details to address Project-related activities that may occur during the avian nesting season. The revised BIO-1 reads as follows:

BIO-1: Should Project activities occur during the nesting season (e.g., March 1 – August 31, but as early as February 1 for some species of raptor); a pre-construction presence/absence survey shall be performed within 1,000 feet of the construction work area by a qualified biologist. The survey shall be conducted no more than three days prior to the initiation of Project activities. If a protected or nesting bird is found or an active nest is located, all construction activities within 300 feet of passerine nest and within 500 feet of raptor nests shall be postponed until the nest is vacated

and juveniles have fledged. Construction limits shall be established in the field to avoid nests and construction personnel shall be instructed on the sensitivity of these areas. The results of this measure shall be recorded to document compliance with applicable state and federal laws pertaining to the protection of nesting birds and raptors. Furthermore, Project activities within the least tern seasonal occupancy period of March 1st through September 15th would be monitored by a qualified biologist and constrained in accordance with the protocol noted above to avoid adverse impacts to terns.

The revised BIO-1 is considered an equivalent or more effective measure that would reduce or avoid significant effects to the same or greater degree than the original measures. Therefore, the impact will be mitigated to a level of less than significant and recirculation of the IS/MND is not required pursuant to CEQA Guidelines Section 15074.1.

4.5 Cultural Resources

This section contains information found in *Section 6.5 Cultural Resources* (pages 15-16) of the original document. The revised IS/MND addresses questions 4.5(a) through 4.5(d) in this section separately and includes an expanded discussion of existing cultural resources within the Project area in support of each finding, based on the Marina del Rey Land Use Plan and previously conducted surveys and reports. Minor editorial and grammatical corrections have also been made to improve the clarity and flow of each answer.

Findings for questions 4.5(b) through 4.5(d) have been changed from “No Impact” to “Less Than Significant” based on a refined site-specific analysis, which showed that the project would result in limited ground disturbing activities. This refined analysis did not result in the identification of new avoidable significant effects or increase in severity of a previously identified effect.

4.6 Geology and Soils

This section contains information found in *Section 6.6 Geology and Soils* (pages 17-18) of the original document. The revised IS/MND addresses questions 4.6(a) through 4.6(e) in this section separately and includes an expanded discussion of the Project activities and the geologic conditions of the Project area to further substantiate each finding based on information contained in the Marina del Rey Land Use Plan. Minor editorial and grammatical corrections have also been made to improve the clarity and readability of each answer.

Findings for questions 4.6(a) through 4.6(d) have been changed from “No Impact” to “Less Than Significant” based on refined site-specific analysis. However, this refined analysis did not result in the identification of new avoidable significant effects or an increase in severity of previously identified environmental effects.

4.7 Hazards and Hazardous Materials

This section contains information found in *Section 6.7 Hazards and Hazardous Materials* (pages 19-21) of the original document. The revised IS/MND addresses questions 4.7(a) through 4.7(h) in this section separately and includes an expanded discussion of the Project and its location. Minor editorial and grammatical corrections have also been made to improve the clarity and readability of each answer.

Findings for questions 4.7(c) and 4.7(e) have been changed from “No Impact” to “Less Than Significant” based on refined site-specific analysis. However, this refined analysis did not result in the identification of new avoidable significant effects or an increase in severity of previously identified environmental effects.

4.8 Hydrology and Water Quality

This section contains information found in *Section 6.8 Hydrology and Water Quality* (pages 21-24) of the original document. The revised IS/MND now addresses questions 4.8(a) through 4.8(j) in this section separately and includes an expanded discussion of the Project design and activities related to water and drainage. Minor editorial and grammatical corrections have also been made to improve the clarity and readability of each answer.

Findings for questions 4.8(a) and 4.8(f) have been changed from “No Impact” to “Less Than Significant” based on refined site-specific analysis; this refined analysis did not result in the identification of new avoidable significant effects or increase in severity of any previously identified effects.

4.9 Land Use and Planning

This section contains information found in *Section 6.9 Land Use and Planning* (page 25) of the original document. Minor editorial and grammatical corrections have been made to questions 4.9(a) through 4.9(c) in this section to improve the clarity and readability of each answer.

4.10 Mineral Resources

This section contains information found in *Section 6.10 Mineral Resources* (page 26) of the original document. The revised IS/MND now addresses questions 4.10(a) and 4.10(b) in this section separately. Minor editorial and grammatical corrections have also been made to improve the clarity and readability of each answer.

4.11 Noise

This section contains information found in *Section 6.11 Noise* (pages 26-28) of the original document. The revised IS/MND now addresses questions 4.11(a) through 4.11(f) in this section separately and includes an expanded discussion of construction and operation activities for the Project. A Noise Analysis was conducted for the Project after the IS/MND was circulated for public review to identify and mitigate potential noise impacts to sensitive noise receptors (residential homes) located in close proximity to the project site. The revised IS/MND incorporates the analysis from the Project specific noise evaluation into the discussions for each CEQA question related to noise. Minor editorial and grammatical corrections have also been made to improve the clarity and flow of each answer.

The finding for question 4.11(a) has been changed from “No Impact” to “Less Than Significant” based on the expanded and refined noise analysis conducted for this Project. The refined analysis did not result in the identification of new avoidable significant effects or any increase in severity of previously identified environmental effects in the area of noise. All other findings regarding the Project noise analysis remain unchanged.

Mitigation Measures NOI-1 through NOI-4 in the original document have been revised for clarity and readability. Although these existing measures are adequate to reduce impacts identified, Mitigation Measures NOI-5 and NOI-6 are included as additional proactive measures to ensure

that previously identified impacts are reduced to the same or to a greater degree as the four original measures. These mitigation measures are derived from noise standards found in Chapter 12.08 of the Los Angeles County Code. With the implementation of these measures, the impacts related to noise will continue to be reduced to a level of less than significance. The mitigation measures are considered equivalent or more effective measures that reduce or avoid the significant effect to the same or greater degree than the original measures. Therefore, recirculation of the revised IS/MND is not required pursuant to CEQA Guidelines Section 15074.1.

4.12 Population and Housing

This section contains information found in *Section 6.12 Population and Housing* (page 29) of the original document. The revised IS/MND addresses questions 4.12(a) through 4.12(c) in this section separately. Minor editorial and grammatical corrections have been made to improve the clarity and readability of each answer.

4.13 Public Services

This section contains information found in *Section 6.13 Public Services* (page 30) of the original document. The revised IS/MND addresses questions 4.13(a) through 4.13(e) in this section separately, and includes an expanded discussion of the Project location and available public services in the area. Minor editorial and grammatical corrections have also been made to improve the clarity and readability of each answer.

Findings for questions 4.13(a)(iv) and 4.13(a)(v) have been changed from “Less Than Significant” to “No Impact” based on refined project analysis in this regard.

4.14 Recreation

This section contains information found in *Section 6.14 Recreation* (page 31) of the original document. Minor editorial and grammatical corrections have been made to questions 4.14(a) and 4.14(b) in this section to improve the clarity and readability of each answer.

4.15 Transportation

This section contains information found in *Section 6.15 Transportation/Circulation* (page 31-33) of the circulated IS/MND. The revised IS/MND includes an expanded discussion of the Project design with respect to circulation and parking in the Project area. Minor editorial and grammatical corrections have also been made to improve the clarity and readability of each answer.

4.16 Utilities and Service Systems

This section contains information found in *Section 6.16 Utilities and Service Systems* (page 34-36) of the original IS/MND. The revised IS/MND includes an expanded discussion of the Project design and the available utility services in the Project area. Minor editorial and grammatical corrections have also been made to improve the clarity and readability of each answer.

4.17 Mandatory Findings of Significance

This section contains information found in *Section 6.17 Mandatory Findings of Significance* (pages 36-37) of the original document. The revised IS/MND addresses questions 4.17(a) through 4.17(c) in this section separately and includes an expanded discussion of cumulative impacts to air quality, noise, utilities and service systems, biological resources, and global

climate change due to construction activities proposed for the Project. Minor editorial and grammatical corrections have also been made to improve the clarity and flow of each answer.

A list of planned projects considered for the discussion of question 4.17(b) was added to aid the cumulative discussion.

The finding for 4.17(c) has been changed from “No Impact” to “Less Than Significant” based on refined site-specific analysis as described above in each respective section of this document. However, this refined analysis did not result in the identification of new avoidable significant effects or any increase in severity of previously identified environmental effects.

Section 5.0 References

This section was originally included as *Section 9.0 References* (pages 40-41) in the original document. The list of references used for this document has been updated.

Section 6.0 List of Preparers

This section was originally included as *Section 8.0 List of Preparers* (page 39) of the original document. The list of URS staff members has been updated.

Section 7.0 Response to Comments

This section includes the responses to the public review comments received from circulation of the Draft IS/MND.

Section 8.0 Mitigation Monitoring and Reporting Program

This section was originally included as Section 11.0 Mitigation Monitoring and Reporting Program (pages 58-62) in the original document. Revised mitigation measures for *Section 4.4 Biological Resources* and *Section 4.11 Noise* have been updated as noted above.

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- Appendix A – Air Quality Analysis
- Appendix B – Noise Analysis

1.0 INTRODUCTION

The County of Los Angeles, Department of Public Works (County) has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) to address the environmental effects of the proposed Marina del Rey Tide Gate Rehabilitation Project (Project). The Project would rehabilitate and upgrade an existing serviceable manually-operated tide gate facility. This would be accomplished by adding improvements to the existing structure, replacing gate assemblies and upgrading the operational equipment.

All resources referenced in this IS/MND are available to the public for review upon request.

1.1 CEQA PROCESS

This IS/MND has been prepared in accordance with the California Environmental Quality Act (CEQA), as amended (Public Resources Code § 21000, et. seq.) and the State CEQA Guidelines (California Administrative Code § 15000, et. seq.). This document summarizes and addresses the results of the initial study prepared to determine if any significant environmental effects would occur from the proposed Project. In accordance with the CEQA statutes and Guidelines for circulation of a negative declaration, a 30-day public review period for this IS/MND began on April 16, 2007 and concluded on May 15, 2007. The IS/MND was distributed to interested or involved public agencies, organizations and private individuals for review. In addition, the Draft IS/MND was available for general public review at:

County of Los Angeles
Department of Public Works
PMD I, 5th Floor
900 South Fremont Avenue
Alhambra, CA 91803-1331
M-Th 6:45AM – 5:30PM

During the 30-day review period, public agencies, organizations and individuals had an opportunity to provide written comments on the information contained within the original document. The public comments on the original document and responses to public comments have been incorporated into the Final IS/MND. No revisions to the scope of work for the Marina del Rey Tide Gate Rehabilitation Project have occurred since the IS/MND was circulated for public review. The County of Los Angeles Board of Supervisors (Board) will use the Final IS/MND for all environmental decisions related to this Project. Prior to approving a project, the Board will consider the project in conjunction with comments received during the review period. A project will only be approved when the Board "finds that there is no substantial evidence that the project will have a significant effect on the environment and that the IS/MND reflects the lead agency's independent judgment and analysis." When adopting an IS/MND, a monitoring program must also be adopted to ensure implementation of mitigation required as a condition of approval.

1.2 DOCUMENT FORMAT

A succinct review and summary of the IS/MND's format is set forth below. This IS/MND contains the following eight sections:

- Section 1.0, *Introduction*, provides an overview of the Project and the CEQA environmental documentation process;
- Section 2.0, *Project Description*, provides a detailed description of Project objectives and components;
- Section 3.0, *Environmental Checklist*, presents the CEQA checklist for all impact areas and mandatory findings of significance;
- Section 4.0, *Impacts and Mitigation Measures*¹, presents the environmental analysis for each issue area identified on the environmental checklist form. If the Project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the Project could have a potentially significant impact on a resource, the issue area discussion provides a description of potential impacts, appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less than significant level;
- Section 5.0, *References*, provides a list of reference materials used during the preparation of the IS/MND;
- Section 6.0, *List of Preparers*, provides a list of key personnel involved in the preparation of the IS/MND;
- Section 7.0, *Response to Comments*, provides the comment letters received during the 30-day review period for the Draft IS/MND, followed by the responses to comments; and
- Section 8.0, *Mitigation Monitoring and Reporting Program*, provides a checklist to fulfill the Project's mitigation monitoring and reporting requirements under CEQA.

Additionally, impacts are separated into the following categories:

- **Potentially Significant Impact** - this category is applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less than significant level. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required;
- **Less Than Significant After Mitigation Incorporated** - this category is applicable when the incorporation of mitigation measures would reduce an effect from a "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measure(s), and briefly explain how they would reduce the effect to a less than significant level;

¹ The environmental analysis included in Section 4.0 is consistent with the CEQA Initial Study format presented in Section 3.0, which is derived from Appendix G of the CEQA Guidelines.

- **Less Than Significant Impact** - this category is applicable when the project would result in impacts below the threshold of significance, and no mitigation measures are required; and
- **No Impact** - this category is applicable when a project would not create an impact in the specific environmental issue area. "No Impact" answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency, which show that the impact does not apply to the specific project. A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards.

2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The Project is located adjacent to the coastline in the southern portion of the community of Venice/Marina del Rey - situated at the south end of the Grand Canal at Via Marina (*Figure 1 –*



Via Marina looking west

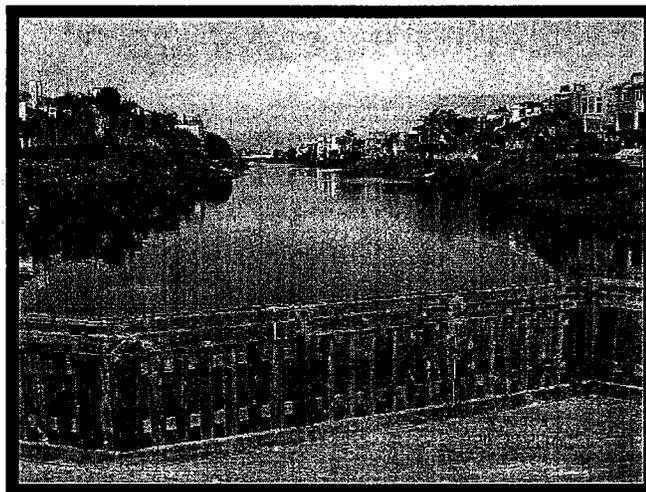
Regional Location and Project Location Map). Via Marina is a two-lane public roadway that provides access to nearby residential homes in the area. Residential homes are located within 150 feet of the Project. Pedestrian sidewalk access is provided along the north and south sides of Via Marina. A total of 59 metered public parking spaces are located along the south side of Via Marina in the immediate vicinity of the Project.

The primary land uses in this area are a mosaic of urban

medium to high density residential with some light commercial designations and open space.

The area surrounding the Project serves as a scenic locale and wildlife viewing area for the Grand Canal and Marina del Rey Channel. An existing wood view deck is located over the Grand Canal inlet structure for public use. Two Environmentally Sensitive Habitat Areas (ESHA's) are located in proximity to the Project:

- The Grand Canal in the Venice and Marina del Rey areas; and
- A protected breeding habitat for the least tern is located on the southern portions of Venice Beach, north of the Marina del Rey Channel entrance and roughly 1,000 feet west of the Project. The least tern is both a state and federally-listed endangered species. The birds generally utilize the southern Venice Beach area between the months of March and September to raise their young and forage.



Grand Canal looking north from view deck

2.2 PROJECT BACKGROUND

The existing tide gate facility is currently owned and operated by the County of Los Angeles' Department of Beaches and Harbors. The tide gate was originally built in 1958 and is operated to prevent flooding of nearby residences, maintain predictable water levels in the Grand Canal and allow for continual tidal exchange with the Marina del Rey Channel.

The existing tide gate facility includes:

- Concrete headwall structures at the Grand Canal inlet and the Marina del Rey Channel outlet – connected by three underground 84-inch corrugated metal pipes that extend across Via Marina; and
- Heavy-duty metal gate assemblies (one active slide gate and two flap gates) at the Marina del Rey Channel outlet that are opened and closed by manual operation, depending on the tide level and weather forecast, to control the water level in the Grand Canal and allow for continuous tidal exchange with the Marina del Rey Channel.



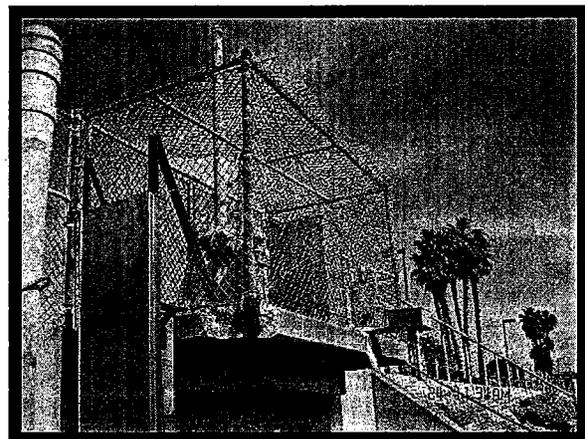
Slide gate assembly at outlet structure

Project Purpose

At present, the facility is in poor condition and in need of rehabilitation as a consequence of heavy usage and exposure to corrosive salt air over the last fifty years. The purpose of the Project is to rehabilitate and upgrade the existing serviceable, manually-operated tide gate facility to enhance the reliability and functionality of the current tide gate while reducing operating costs.

Goals and Objectives

Tide gate operations would be automated and controlled via electronic controls rather than manual controls without long-term modification of the current Los Angeles Department of Beaches and Harbors operating procedures (e.g., no long-term modification of the presently tidally-influenced and anthropogenic hydrologic regime of the Grand Canal) to maintain a constant water level in the Grand Canal and to allow for a constant tidal exchange with the Marina del Rey Channel.

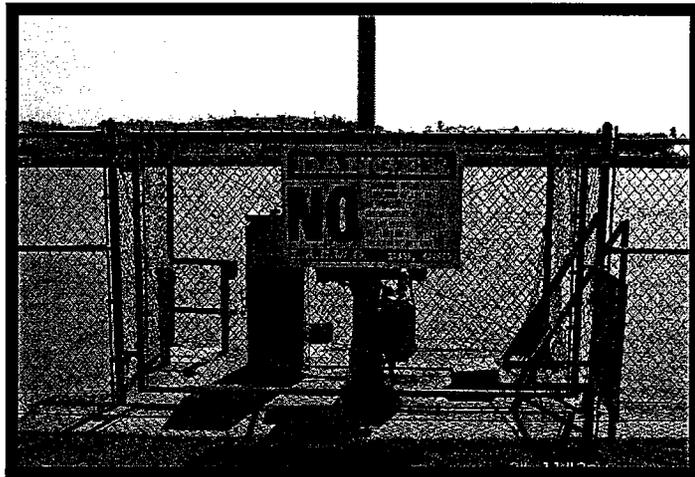


Motorized control equipment on elevated concrete platform over outlet structure

2.3 DESCRIPTION OF PROJECT

The rehabilitation of the tide gate would include repair of the damaged concrete headwalls and corrugated metal pipes, and the replacement of the corroded metal gate assemblies with new gate assemblies and equipment (County of Los Angeles 2008, Gregowske 2007, Pogpun 2007, and Tjan 2008). These improvements would allow for automated control and remote monitoring of the tide gate facility. The rehabilitated facility would be similar in size and nature to the existing serviceable structure.

The tide gate is located below the street grade on Via Marina, with the exception of the existing motorized control equipment located at the Marina del Rey Channel outlet that extends six feet above the street grade. The existing control equipment is supported on an elevated concrete platform and secured in a six-foot high chain link fence enclosure. The majority of the improvements at the Grand Canal inlet and the Marina del Rey Channel outlet would take place below the street grade on Via Marina and are not expected to impair the view during construction. However, public access to the wood view deck located over the Grand Canal inlet structure would be temporarily restricted for safety reasons during Project construction on the Grand Canal inlet.



Motorized control equipment over outlet structure

Pedestrian and vehicular access along Via Marina would continue to be allowed during the construction of the Project. Up to ten public metered parking spaces along Via Marina immediately fronting the tide gate outlet structure would be used for temporary construction staging. The remaining 49 spaces would remain accessible to the public during construction. Ground-disturbing activities would be limited to trenching and boring associated with the installation of underground utilities to serve the retrofitted tide gate facility. No clearing of native vegetation or earthwork activities are anticipated from Project construction.

Construction Scenario

To maintain the tide gate in operation during construction, the improvements would be completed in phases, with each phase including temporary coffer wall installation (sand bags or equivalent materials and process) at the inlet and outlet of the discharge pipes, followed by dewatering and execution of the rehabilitation work (County of Los Angeles, 2008). At least one discharge pipe would remain in operation at all times during construction pursuant to current standard operating procedures of the Los Angeles Department of Beaches and Harbors, while the other discharge pipes are being cleaned and retrofitted with new gate assemblies. This would be done to avoid temporary impacts to this tidally-influenced environment and to ensure that constant tidal influence within the Grand Canal is maintained while the operational equipment and gate assemblies are retrofitted. The methods necessary to accomplish the retrofit of the tide gate facility are detailed in the following sections.

Construction Methods

- Build temporary cofferdams by manual placement of sand bags or similar structures to divert water away from the tide gate inlet and outlet for execution of Project work.
- Install silt curtains and other applicable best management practices (BMPs) at the tide gate inlet and outlet structures to capture any construction debris that may fall into the Grand Canal or Marina del Rey Channel.
- Install scaffolding for gate replacement and concrete repair.
- Perform minor saw cutting and jack hammering or chipping to repair the existing damaged concrete headwalls at the inlet/outlet structures.
- Perform small directional boring for electrical conduit jacking approximately two inches below Via Marina Street to install water sensor gage controls.
- Utilize a mobile crane to lift and install gates, liner pipes, etc. from street level.
- Remove and haul away sediment debris and other materials from discharge pipes using a mobile vacuum truck (or equivalent equipment and process) for proper disposal.
- Repair discharge pipes by inserting a liner pipe and grouting the space between the new liner pipe and the existing discharge pipe.

As proposed, there would be no fill, excavation, or dredging activities associated with the Project; only physical removal of existing sediment debris deposits from inside the three (3) discharge pipes (a.k.a., conduits) with a mobile vacuum truck to allow for repair of the pipes. Based on actual field measurements, the amount of sediment debris to be removed and hauled away from the discharge pipes is approximately 50 cubic yards (mostly silt) (Sancon Technologies, Inc. 2007).

Please refer to *Figure 2 – Proposed Improvements* for a visual depiction of the planned improvements.

Construction Schedule

- Mobilization and Demobilization period: 30 working days.
- First phase would address the cleaning and retrofit work for the northern discharge pipe while the two remaining discharge pipes remain in operation: 6 - 8 weeks.
- Second phase would address the cleaning and retrofit work for the two southern discharge pipes, while the newly retrofitted northern discharge pipe is in operation: 8 - 12 weeks.

Please refer to *Figure 3 – Phasing Plan* for a visual depiction of the planned actions.

Figure 1 – Regional Location & Project Location Map

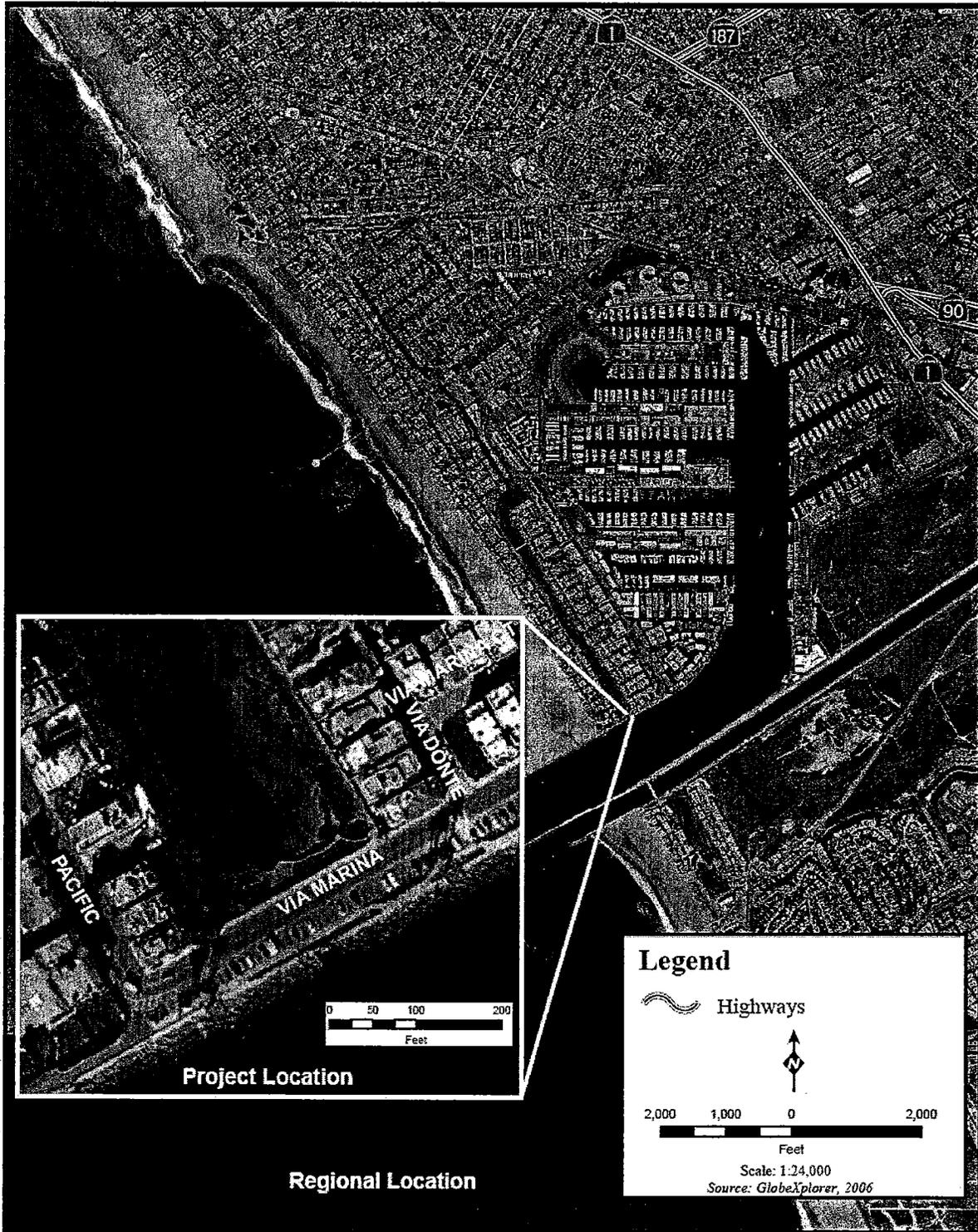


Figure 2 – Proposed Improvements

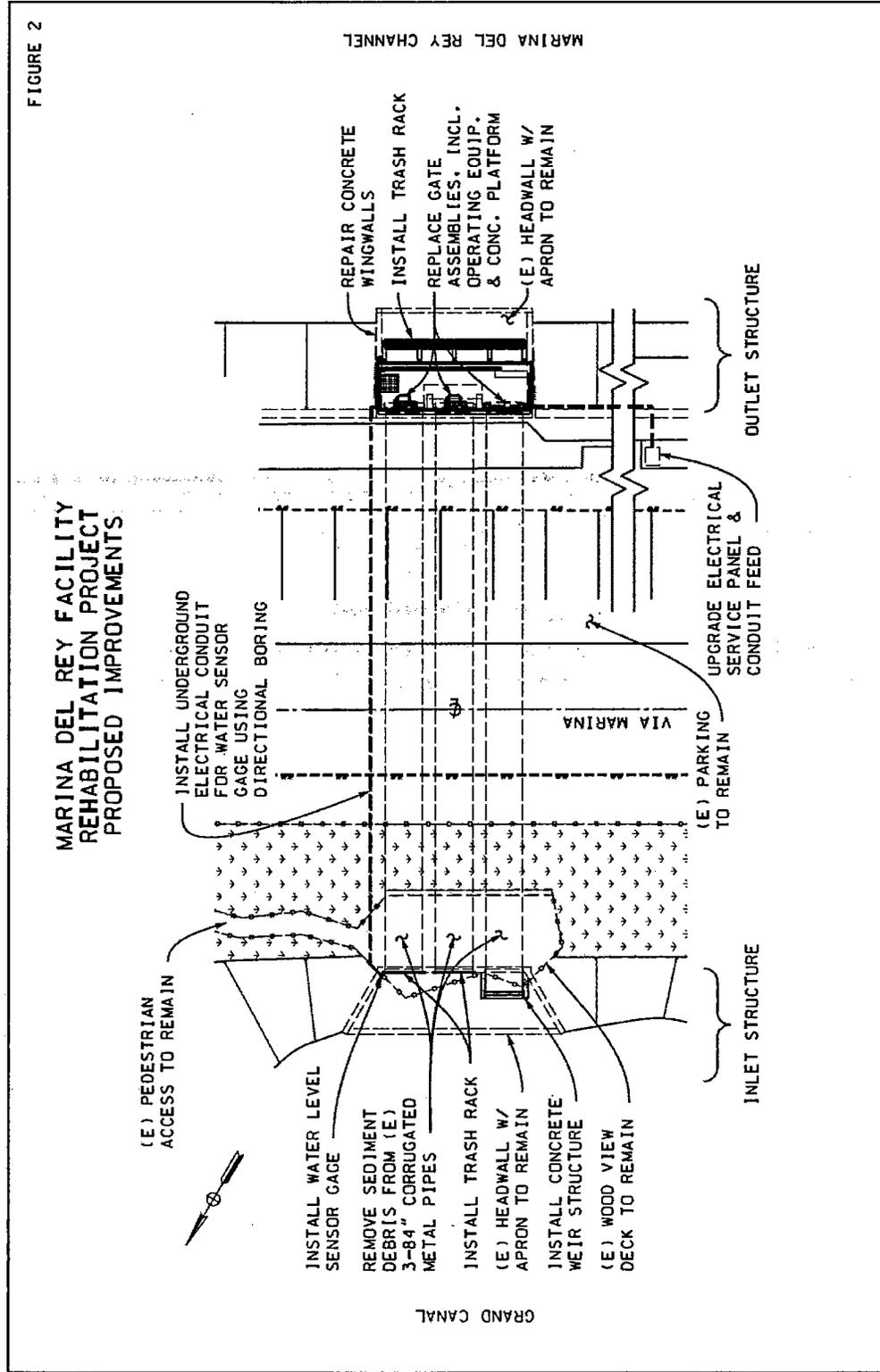
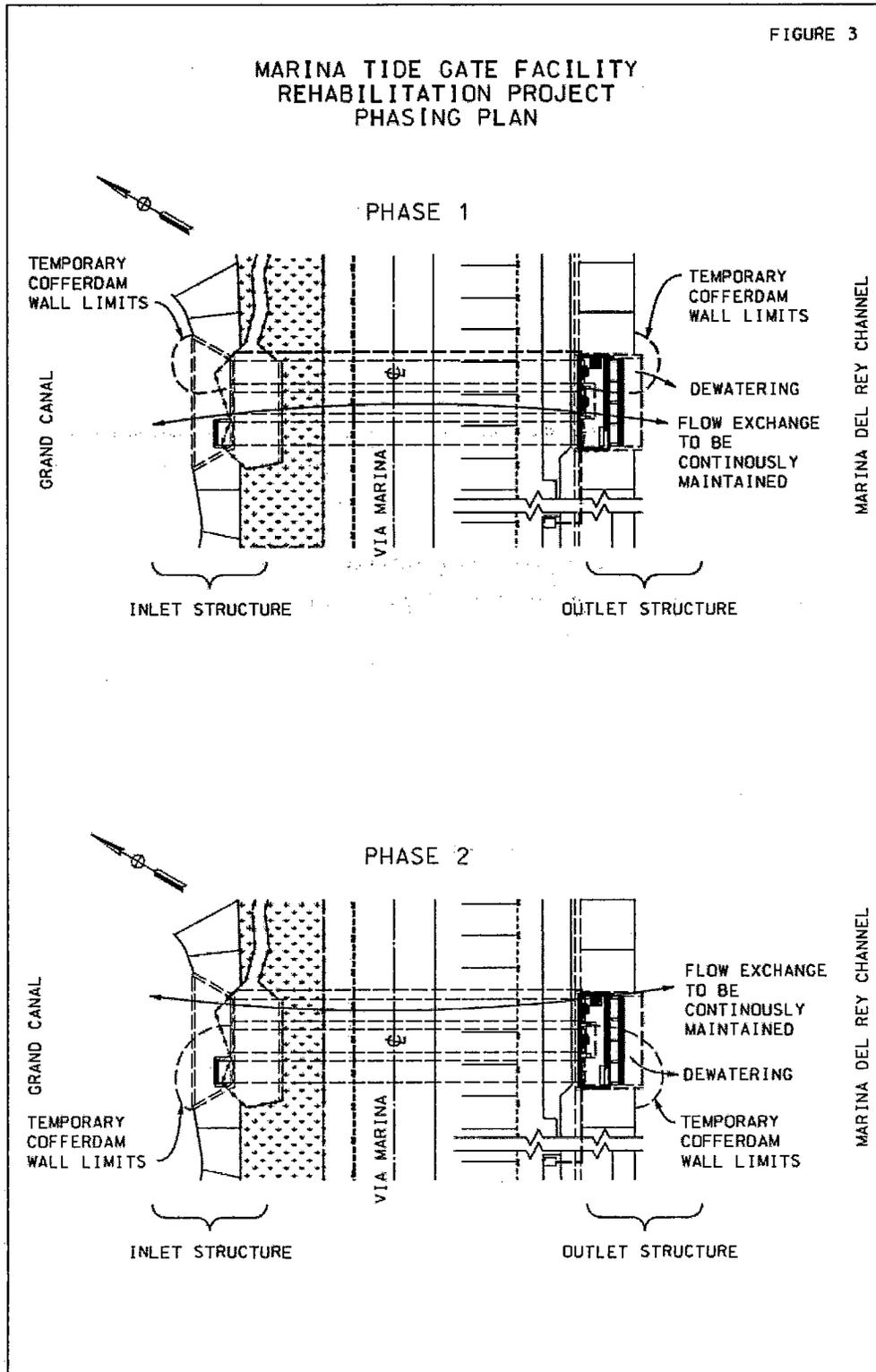


Figure 3 – Phasing Plan



3.0 ENVIRONMENTAL CHECKLIST

1. Project Title

Marina del Rey Tide Gate Rehabilitation Project

2. Lead Agency

County of Los Angeles
Department of Public Works
(For the County Department of Beaches and Harbors)

3. Contact Person(s)

Mr. Gil Garcia
County of Los Angeles
Department of Public Works
Project Management Division 1
900 South Fremont Avenue, 5th Floor
Alhambra, CA 91803-1331
(626) 300-2310

Mr. Ed Andrews
County of Los Angeles
Department of Public Works
Project Management Division 1
900 South Fremont Avenue, 5th Floor
Alhambra, CA 91803-1331
(626) 300-2319

4. Project Sponsor

County of Los Angeles, Department of Beaches and Harbors

5. Project Location

The Project is located adjacent to the coastline in the southern portion of the community of Venice/Marina del Rey and is situated at the south end of the Grand Canal at Via Marina (Figure 1: *Regional Location and Project Location Map*)

6. General Plan Designation

General Plan land use designations in the Project area are residential with corresponding residential and commercial zoning.

7. City Council District

City of Los Angeles District 11

8. County District

Third Supervisorial District

9. Brief Description of Project

The County of Los Angeles is proposing to rehabilitate and retrofit an existing serviceable manually-operated tide gate facility by replacing gate assemblies and upgrading the operational equipment.

10. Surrounding Land Uses/Setting

The primary land uses in the Project vicinity include a mosaic of urban medium to high density residential - with some light commercial designations, and open space. The area surrounding the Project serves as scenic and wildlife viewing areas for the Grand Canal and Marina del Rey Channel.

11. Public Agency Approvals

County of Los Angeles

California Coastal Commission – Coastal Development Permit

Army Corps of Engineers – Clean Water Act Section 404 Nationwide Permit

Regional Water Quality Control Board (Los Angeles Region) - Clean Water Act Section 401 Water Quality Certification

City of Los Angeles

3.1 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is "Potentially Significant" as indicated by the checklist on the following pages.

- | | | |
|--|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/ Water Quality | <input type="checkbox"/> Land Use and Planning |
| <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Mandatory Findings of |
| <input type="checkbox"/> Transportation / Circulation | <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Significance |

3.2 DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Signature

Date

[Title]
[Company]

Marina Del Rey Tide Gate Rehabilitation Project IS/MND
County of Los Angeles, Department of Public Works



Shaded cells represent changes made to the Initial Study Checklist from the original IS/MND.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
1.	AESTHETICS. <i>Would the project:</i>				
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.	AGRICULTURAL RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) Prepared by the California Dept. of Conservation as an optional Model to use in assessing impacts on agriculture and farmland. <i>Would the project:</i>				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.	AIR QUALITY: Where available, the significance criteria Established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. <i>Would the project:</i>				
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Violate any air quality standards or contribute substantially to an existing or projected air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Marina Del Rey Tide Gate Rehabilitation Project IS/MND
County of Los Angeles, Department of Public Works

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
4.	BIOLOGICAL RESOURCES. <i>Would the project:</i>				
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.	CULTURAL RESOURCES. <i>Would the project</i>				
a)	Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
6.	GEOLOGY AND SOILS. <i>Would the project:</i>				
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, or injury, or death involving:				
	(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	(ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	(iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	(iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in substantial soil erosion or loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.	HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>				
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites Compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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e)	For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project result in safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Impair implementation of or physically interfere with an adopted emergency plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.	HYDROLOGY AND WATER QUALITY. <i>Would the project:</i>				
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j)	Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9.	LAND USE AND PLANNING. <i>Would the project:</i>				
a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10.	MINERAL RESOURCES. <i>Would the project:</i>				
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11.	NOISE. <i>Would the project result in:</i>				
a)	Exposure of persons to or generation of noise level in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	A substantial permanent increase in the ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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12.	POPULATION AND HOUSING. <i>Would the project:</i>				
a)	Induce substantial growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13.	PUBLIC SERVICES.				
a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any public services:				
	(i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	(ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	(iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	(iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	(v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14.	RECREATION.				
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15.	TRANSPORTATION/TRAFFIC. <i>Would the project:</i>				
a)	Cause an increase in traffic which is substantial in relation to the existing system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially increase hazards due to design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Conflicts with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16.	UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>				
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
17.	MANDATORY FINDINGS OF SIGNIFICANCE.				
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4.0 IMPACTS AND MITIGATION MEASURES

4.1 AESTHETICS

Would the project:

- a) **Have a substantial adverse effect on a scenic vista?**

Less Than Significant.

The Project is located in a scenic coastal area surrounded by a unique and diverse range of visual areas including the Pacific Ocean, Grand Canal and the Marina del Rey Channel. The visual character of the Project area and its surroundings would be temporarily affected by construction-related equipment during the course of tide gate retrofit activities. However, the Project is a replacement in-kind of existing equipment located predominately below street grade. The Project scope and duration are small - facility rehabilitation is anticipated to take less than six months and the total Project footprint is less than 0.1 acres. Additionally, impacts would be temporary and beach access would not be prohibited. Although public access would be restricted during construction, the existing wood view deck located over the Grand Canal inlet structure would remain. No long-term, adverse impacts to the area are anticipated. Impacts to scenic resources are considered to be less than significant.

- b) **Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?**

Less Than Significant.

Via Marina has been designated as a scenic highway within the *Marina del Rey Land Use Plan*, a component of the Marina del Rey Local Coastal Program which was last amended in 1996 (County of Los Angeles 1996). The ground disturbance footprint for the Project is less than 0.1 acres and does not involve grading activities. Therefore, the Project is unlikely to impact trees, rock outcroppings or historic buildings within a state scenic highway. Any impacts to scenic resources during construction activities would be considered less than significant.

- c) **Substantially degrade the existing visual character or quality of the site and its surroundings?**

Less Than Significant.

The vast majority of the retrofit work for the tide gate facility would occur below the street grade on Via Marina and would not impair the scenic views of the Project area during construction. Accordingly, the Project would not substantially degrade the existing visual character or quality of the Project area and surroundings, and impacts are considered less than significant.

- d) **Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

No Impact.

The Project does not involve the installation of new lighting sources. Construction activities associated with the Project would occur during daylight hours. The Project

would not create a new source of substantial light or glare. Therefore, no impacts related to an increase of light or glare would occur as a result of Project implementation.

4.2 AGRICULTURAL RESOURCES

Would the project:

- a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

No Impact.

The Project is located within County of Los Angeles-owned land. Land use designations within in the Project area and surrounding lands include urban medium to high density residential, with some light commercial and open space designations. There are no existing agricultural land use designations within the Project area. The Project would not convert Farmland designated by the State to non-agricultural uses.

- b) **Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

No Impact.

The Project is a replacement in-kind of an existing facility which is not located on land zoned for agricultural use or within a Williamson Act contract.

- c) **Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?**

No Impact.

No agricultural uses exist within the vicinity of the Project. The Project would rehabilitate a serviceable tide gate facility and is not expected to cause other changes in the existing environment which could result in the conversion of Farmland to non-agricultural use.

4.3 AIR QUALITY

A site-specific Air Quality Analysis was conducted for the project (Refer to Appendix A, *Air Quality Analysis*).

Would the project:

- a) **Conflict with or obstruct implementation of the applicable air quality plan?**

Less Than Significant.

The Air Quality Management Plan (AQMP) for the South Coast Air Basin (SCAB) sets forth a comprehensive program that would lead the SCAB into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance

with the AQMP for future development projects is determined by demonstrating compliance with local land use plans and/or population projections.

The Project area is designated Conservation and Open Space under the Los Angeles County General Plan. The Project involves rehabilitation of an existing tide gate, which is consistent with the current zoning and land use designations of Los Angeles County's General Plan. The rehabilitation of the existing tide gate would not conflict or obstruct the implementation of the AQMP. No land uses are proposed that are different from those anticipated for the property in long range planning. Therefore, the Project is in compliance with the AQMP and impacts would be less than significant (Source: Los Angeles County General Plan and Section 2.0, *Project Description* of this document).

b) Violate any air quality standards or contribute substantially to an existing or projected air quality standard?

Less Than Significant.

The Project is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD has developed thresholds of significance for both regional and localized air quality impacts, which this Project must comply with. The short-term construction emissions and long-term operational emissions from the Project are presented in Appendix A, *Air Quality Analysis* of this document.

Maximum daily construction emissions are anticipated to be 7.03 lbs for ROG; 48.88 lbs for NO_x; 28.49 lbs for CO; 0.05 lbs for SO₂; 2.89 lbs for PM₁₀; and 2.57 lbs for PM_{2.5}. Emissions of all criteria pollutants are below applicable SCAQMD regional significance thresholds. In addition to the regional analysis, the Project's anticipated emissions and impacts on a localized scale were also analyzed. In addition, the Project's emissions of CO, NO_x, PM₁₀, and PM_{2.5} do not exceed the applicable SCAQMD localized significance thresholds. Therefore, short-term emissions from Project construction would not violate established air quality standards and would be less than significant on both a regional and localized level.

The maximum daily operational emissions are anticipated to be 0.17 lbs for ROG; 1.34 lbs for NO_x; 1.21 lbs for CO; 0.00 lbs for SO₂; 0.05 lbs for PM₁₀; and 0.04 lbs for PM_{2.5}. Emissions of all criteria pollutants are below the SCAQMD regional thresholds as well. Since operational emissions from the Project would be in the form of mobile source emissions from Project-generated maintenance vehicle trips with no stationary sources, no localized operational significance threshold analysis is necessary. Therefore, long-term emissions from Project operation would not violate air quality standards and would be less than significant on both a regional and localized level.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Less Than Significant.

Criteria Pollutants

The portion of the South Coast Air Basin (SCAB) within which the Project is located is designated as a non-attainment area for ozone and PM₁₀ under state standards, and as

a non-attainment area for ozone, carbon monoxide, PM₁₀, and PM_{2.5} under federal standards.

In evaluating the cumulative effects of the Project, Section 21100(e) of CEQA states that "previously approved land use documents including, but not limited to, general plans, specific plans, and local coastal plans, may be used in cumulative impact analysis." In addressing cumulative effects for air quality, the AQMP utilizes approved general plans, and, therefore, is the most appropriate document to use to evaluate cumulative impacts of the Project. This is because the AQMP evaluated air quality emissions for the entire SCAB using a future development scenario which is based on population projections and set forth a comprehensive program that would lead the region, including the Project area, into compliance with federal and state air quality standards. The Project is in compliance with the AQMP [please review response to 4.3(a) above], Project emissions are below applicable SCAQMD established regional and localized thresholds of significance and are considered less than significant. Consequently, the Project's cumulative impact to air quality would be less than significant.

Global Climate Change

On September 27, 2006, AB 32, the California Global Warming Solutions Act of 2006, was enacted by the State of California. The legislature stated that "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." AB 32 caps California's GHG emissions at 1990 levels by 2020. This bill represents the first enforceable State wide program in the United States to cap all GHG emissions from major industries and include penalties for non-compliance. While acknowledging that national and international actions will be necessary to fully address the issue of global warming, AB 32 lays out a program to inventory and reduce GHG emissions in California and from power generation facilities located outside the State that serve California residents and businesses.

To date, no federal, State, or Project area specific local agencies have finalized thresholds against which a proposed project such as the Marina de Rey Tide Gate Rehabilitation Project must be evaluated to assist lead agencies in determining whether or not the project impacts are significant with respect to greenhouse gases (GHG) and to determine the extent of the Project's impacts to global climate change. A discussion of approaches to potential significance thresholds is included in the 2008 California Air Pollution Control Officers Association (CAPCOA) document "CEQA and Climate Change." Included in the discussion are proposed interim GHG thresholds, the most stringent of which is a threshold of 900 metric tons (MT) of carbon dioxide equivalents (CO₂e) annually, which applies to small scale projects. This threshold applies to residential and commercial projects, including office and non-office projects; this category most closely fits the proposed project, as there are no interim thresholds specific to tide gates or rehabilitation projects.

SCAQMD has also released a draft guidance document regarding interim CEQA GHG significance thresholds in October 2008, "SCAQMD Interim CEQA GHG Significance Threshold Draft Guidance Document." SCAQMD proposed a tiered approach, whereby the level of detail and refinement needed to determine significance increases with a project's total GHG emissions. SCAQMD also proposed a screening level of 3,000 MT CO₂e per year for commercial and residential projects, under which project impacts are

considered “less than significant.” The 3,000 metric ton screening level was intended “to achieve the same policy objective of capturing 90 percent of the GHG emissions from new development projects in the residential/commercial sectors.”

The CAPCOA 900 MT CO₂e threshold was determined to be the most applicable threshold for the purposes of this analysis. Additionally, the 900 MT CO₂e threshold is also the most stringent.

Direct Impact

During construction, the Project's GHG emissions will be primarily in the form of CO₂ emissions from off-road construction equipment exhaust. According to the Air Quality Analysis contained in Appendix A, *Air Quality Analysis* of this document the Project's maximum CO₂e emissions for the entire construction period will be 221.95 MT, which is less than CAPCOA's interim threshold of 900 MT CO₂e. During operation, the Project's GHG emissions will be from both mobile source emissions from periodic maintenance vehicles and indirect emissions generated by electricity usage from the raising and lowering of the tide gates. Since construction and commencement of operation of the Project would occur during the year 2010, it is necessary to add the construction-related GHG emissions for 2010 to the operation-related GHG emissions to determine the maximum GHG emissions for that year. As such, combined annual construction and operation GHG emissions were determined to be 222.27 MT CO₂e (221.95 MT CO₂e from construction and 0.319 MT CO₂e from operation), which is less than CAPCOA's threshold of 900 MT CO₂e. Accordingly, the Project would not exceed the interim quantitative thresholds for GHGs and the impacts to global climate change would be less than significant.

Cumulative Impact

Global climate change is caused by the addition of massive quantities of GHG emissions to the atmosphere due primarily to human activities in the last 150 years from all over the world. For example, about 29 billion metric tons of CO₂ were added to the Earth's atmosphere in 2006 alone (Energy Information Administration 2006). Additionally, AB 32 caps California's GHG emissions at 1990 levels by 2020, which CARB has determined to be 427 million MT per year (CARB 2007). Accordingly, the maximum GHG emissions calculated for the proposed project (222.27 MT CO₂e) would represent 0.0000077 percent of current 2006 yearly global emissions and 0.000052 percent of desired yearly California emissions. If viewed apart from the GHG emissions produced by activities elsewhere in the world, the mass of GHG emissions generated by the construction and operation of an individual project such as the proposed project would be so minute that the concentration of GHG emissions in the atmosphere would essentially remain the same. Additionally, the project's GHG emissions from construction and operation are below CAPCOA's interim threshold of significance. Therefore, the Project's cumulative impacts on global climate change are considered less than significant.

d) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant.

The nearest sensitive receptors (i.e., residences) are located east and west, adjacent to the Project, within 150 feet. However, construction emissions from the Project are anticipated to be less than the applicable SCAQMD thresholds of significance on both

the regional and localized level. Additionally, emissions from operation are considered less than significant. Therefore, the Project would not expose sensitive receptors to substantial pollutant concentrations and the impact would be less than significant.

e) Create objectionable odors affecting a substantial number of people?

Less Than Significant.

The Project does not propose land uses typically associated with emitting objectionable odors (i.e. wastewater treatment plants, chemical plants, composting operations, refineries, landfills and dairies). Potential odor sources associated with the Project may result from equipment exhaust during construction activities. These emissions would be temporary, short-term and intermittent in nature, and would cease upon completion of construction. Because odors would be temporary and would disperse rapidly with distance from the source, construction-generated odors would not affect a substantial number of people. No odors are anticipated during Project operation. Additionally, the Project would be required to comply with SCAQMD Rule 402, which does not allow discharge of such quantities of air contaminants or other material so as to be a public nuisance or detriment. Accordingly, odors associated with construction and operation of the Project would be less than significant.

4.4 BIOLOGICAL RESOURCES

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Less Than Significant With Mitigation Incorporated

The Project is an in-kind replacement of an existing tide gate facility. New areas of disturbance are not anticipated. The primary land uses in this area are a mosaic of residential, light commercial and open space designations. Furthermore, a protected breeding habitat for the California least tern is located on the southern portions of Venice Beach - north of the Marina del Rey Channel entrance and roughly 1,000 feet west of the Project area. The least tern is both a state and federally-listed endangered species. However, these birds generally utilize the southern portions of Venice Beach between the months of March and September to raise their young and forage. Additionally, the Project is located at the south end of the Grand Canal, roughly 1,000 feet away from the Ballona Lagoon which contains estuarine habitat in Los Angeles County. Impacts to the least tern, its documented breeding locales, and the Ballona Lagoon would be avoided by the Project. Nonetheless, the Ballona Lagoon is a 16-acre, artificially-restricted tidal channel consisting of 14.5 acres of open water habitat and 1.5 acres of intertidal habitat (City of Los Angeles 2003, Deets et al 2001, URS 2005).

Furthermore, literature review (2009 Natural Diversity Database [CNDDDB] maintained by the California Department of Fish and Game [CDFG], 2009 United States Fish and Wildlife Service [USFWS] Carlsbad Data and California Native Plant Society [CNPS] 2009 Electronic Inventory of Rare and Endangered Vascular Plants of California) and field survey data suggests that there are no special-status species utilizing the Project

area at this time. The Project area lacks the requisite habitat needed to support special-status plant and animal species. Therefore, there is no reasonable presumption of adverse impact to special status species or their habitats as a result of Project execution. Additionally, please review response to 4.4(d) below.

Within the Project area, presence/absence surveys for eelgrass and *Caulerpa taxifolia* were conducted on September 5th, 2007 (URS 2007) in full compliance with the Southern California Eelgrass Mitigation Policy (NMFS 1991) - during the period of active growth (March through October). The survey for invasive algae followed the *Caulerpa* Control Protocol (NMFS 2006). No eelgrass individuals or beds, or *Caulerpa* spp. were observed. Consequently, it was concluded that the Project will have no impacts on eelgrass or its habitat, or result in the propagation of any invasive algal species (i.e., *Caulerpa* spp.). Consequently, the Project will not have a substantial adverse effect on any species identified as a candidate, sensitive, or special status species, and impacts are considered less than significant.

- b) **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?**

Less Than Significant.

The rehabilitation of an existing tide gate facility would not have a substantial adverse effect on any riparian habitat or other sensitive natural community. Additionally, please review response to 4.4(a) above.

- c) **Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

Less Than Significant.

Los Angeles County Department of Public Works (LACDPW) is in the process of securing authorizations from the California Coastal Commission (CCC), U.S. Army Corps of Engineers (USACE) and the Regional Water Quality Control Board (RWQCB) pursuant to Clean Water Act (e.g., Section 404 and 401) and local Coastal Development Permitting requirements for this Project. These authorizations would ensure that impacts to federally protected wetlands, as defined by Section 404 of the Clean Water Act through are less than significant. Nonetheless, the Project as described will not directly remove, fill, or hydrologically interrupt any known wetlands within the region.

- d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

Less Than Significant With Mitigation Incorporated.

Implementation of the Project would not adversely impact native plant communities and/or wildlife movement corridors in the Project area. No native upland or wetland vegetation is proposed for removal and no dredge or excavation activities are expected. The existing sediment debris in the three discharge pipes of the tide gate facility would be removed and properly disposed of with a mobile vacuum truck (or equivalent

equipment) to allow for the repair of this serviceable facility. The Project work area for the debris cleaning, retrofit, and upgrade activities would be limited to less than 0.02-acres on either side of the facility and would not disrupt the tidally-influenced hydrological regime within the Grand Canal or the Marina del Rey Channel. The Grand Canal would maintain its tidally-influenced hydrologic regime from the Marina del Rey Channel during the rehabilitation work to prevent adverse impacts to fish, other biological resources and localized water-chemistry (e.g., turbidity, salinity, Ph, water temperature, dissolved oxygen, and so forth).

Adverse impacts to fish, other biological resources and localized water-chemistry would be avoided and/or minimized through phasing of the retrofit work to maintain the tide gate facility in operation during construction, pursuant to the Los Angeles County Department of Beaches and Harbors current operating procedures. In addition, dewatering activities would be conducted such that any fish or wildlife contained within the coffer dam and conduits would be allowed to exit without harm. The view deck associated with the facility would remain operational during Project construction with minimal intermittent closures to ensure working conditions are safe and efficient. LACDPW is also in the process of securing authorizations and discretionary approvals from the CCC, USACE and RWQCB for this Project.

The Project would impact less than 0.04-acres of avian foraging habitat and would not directly impact least terns (review response to 4.4(a) above). Nonetheless, the southern Venice beachfront, located outside of the Project area includes the aforementioned least tern nesting grounds, which are protected by fencing and would be avoided during Project implementation. This protected nesting area is located north of the Marina del Rey channel entrance and roughly 1,000 feet west of the Project site between residential and light commercial land uses. Project impacts include potential temporary displacement of foraging birds in the immediate vicinity of the Project due to construction activities. However, these impacts are not considered significant because of the relatively small amount of functional foraging habitat (less than 0.04 acres) affected by the Project. This acreage is less than 0.01% of the total 16-acres of tidal channel foraging habitats available locally (Keane 2005). The 2003 Annual Report for the Ballona Lagoon identifies a sufficient quantity of least tern foraging habitat is available in the local area. Nesting least terns have also shown tolerance to substantial noise and other anthropogenic disturbances close to the nesting site (e.g., crowded beaches in the summer) (Keane 2005). The Project is not expected to disrupt the breeding activities of the least tern due to its distance from the nesting area. Although Project activities may temporarily deter individual terns from utilizing the relatively small Project construction area for foraging, this impact would be limited to the period of active tide gate rehabilitation and is not expected to result in any long term or substantial changes in migration or foraging patterns for terns. Additionally, Project activities would not destroy nests or cause mortality of nestlings or adults, nor would they be expected to affect the annual production of the local tern colony with the implementation of BIO-1.

Implementation of mitigation measure BIO-1 would ensure that the Project would not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors. Impacts would be less than significant with mitigation incorporated.

- e) **Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

Less Than Significant.

The Project would not conflict with local policies or ordinances protecting biological resources. The area of impact due to the rehabilitation of an existing tide gate facility is minimal and temporary. Please review responses to 4.4(a) and 4.4(d) above. Project impacts are considered less than significant.

- f) **Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

Less Than Significant.

The Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The Project is not located within a known least tern nesting area and would impact less than 0.04 acres of avian foraging habitat. Please review responses to 4.4(a) and 4.4(d). Accordingly, Project impacts are considered less than significant.

Mitigation Measures

The following mitigation is provided to ensure that impacts are less than significant:

- BIO-1:** Should Project activities occur during the nesting season (e.g., March 1 – August 31, but as early as February 1 for some species of raptor); a pre-construction presence/absence survey shall be performed within 1,000 feet of the construction work area by a qualified biologist. The survey shall be conducted no more than three days prior to the initiation of Project activities. If a protected or nesting bird is found or an active nest is located, all construction activities within 300 feet of passerine nest and within 500 feet of raptor nests shall be postponed until the nest is vacated and juveniles have fledged. Construction limits shall be established in the field to avoid nests and construction personnel shall be instructed on the sensitivity of these areas. The results of this measure shall be recorded to document compliance with applicable state and federal laws pertaining to the protection of nesting birds and raptors. Furthermore, Project activities within the least tern seasonal occupancy period of March 1st through September 15th would be monitored by a qualified biologist and constrained in accordance with the protocol noted above to avoid adverse impacts to terns.

4.5 CULTURAL RESOURCES

Would the project:

- a) **Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?**

No Impact.

A review of available literature, archaeological site archives, and relevant historical maps was conducted at the South Central Coastal Information Center on July 14, 2004 by

Greenwood Associates for the Venice Pumping Plant Dual Force Main Project, which encompasses the Project addressed herein. There are no significant historical resources located within the Project area. The rehabilitation of an existing serviceable tide gate facility within a developed urban setting would not cause a substantial adverse change in the significance of a local historical resource. Therefore, no impact to historical resources would occur as a result of this Project.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Less Than Significant Impact.

A review of available literature, archaeological site archives and relevant historical maps was conducted at the South Central Coastal Information Center on July 14, 2004 by Greenwood Associates for the Venice Pumping Plant Dual Force Main Project. The study area for that archaeological investigation included this tide gate facility. Based on the conclusions of that 2004 archaeological investigation, there are no archaeological sites within the Project's disturbance footprint (URS 2005). As stated previously, this Project involves the rehabilitation of an existing serviceable facility located within a heavily urbanized setting and only limited ground-disturbing activities are proposed within previously disturbed areas. In addition, according to the *Marina del Rey Land Use Plan*, lands within the marina have been covered with fill material from previous development and construction activities. Consequently, any potential resources have likely already been adversely impacted or destroyed and there is limited potential for additional archaeological finds. Impacts to unknown and undiscovered archaeological resources are unlikely to occur as a result of construction activities associated with the Project.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact.

Paleo Environmental Associates, Inc. prepared a paleontological resources inventory report for the Venice Pumping Plan Dual Force Main Project in 2004, which included this Project's disturbance footprint within its study area. The inventory did not document any previously recorded fossil sites within the Project area (URS 2005). The rehabilitation of an existing tide gate facility in a heavily urbanized area is considered to have low potential for adverse impacts on paleontological resources. Furthermore, the 2004 findings of Paleo Environmental Associates, Inc are also supported by the *Marina del Rey Land Use Plan*, which asserts that there is limited potential for additional paleontological finds within the Project area. Nonetheless, any undiscovered paleontological resources are likely to have been adversely impacted or destroyed by previous development and construction activities. In addition, limited ground-disturbing activities in developed areas are proposed by the Project.

d) Disturb any human remains, including those interred outside of formal cemeteries?

Less Than Significant Impact.

The Project is not located on or within the vicinity of any former cemeteries or known burial sites. Impacts to human remains are not anticipated due to the location of the

Project and its limited ground-disturbing activities. Ground disturbing activities associated with the project would be limited to minor trenching and boring for the installation of subsurface utilities to serve the retrofitted facility.

4.6 GEOLOGY AND SOILS

Would the project:

- a) **Expose people or structures to potential substantial adverse effects, including the risk of loss, or injury, or death involving:**
- (i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**
 - (ii) **Strong seismic ground shaking?**
 - (iii) **Seismic-related ground failure, including liquefaction?**
 - (iv) **Landslides?**

Less Than Significant Impact.

According to the *Marina del Rey Land Use Plan*, no active or potentially active earthquake faults traverse the Project area. The closest documented faults are the Charnock and Overland faults, located approximately 3.0 and 5.5 miles east of the Project, respectively. The Charnock and Overland faults are part of the Newport-Inglewood Fault Zone, which is identified in the *Los Angeles County General Plan* as an active fault. Seismic activities associated with neighboring fault zones could cause geologic hazards to occur in the Project area, which includes ground shaking, liquefaction and landslides. However, the Project does not involve the construction of habitable structures for residential or other public use. The Project is limited to rehabilitation of an existing and serviceable tide gate facility. Therefore, anticipated geologic impacts to the public and structures are considered less than significant.

- b) **Result in substantial soil erosion or loss of topsoil?**

Less Than Significant Impact.

Ground-disturbing activities associated with the Project would be limited to minor trenching and boring for the installation of subsurface utilities to serve the retrofitted facility. No native vegetation clearing or substantial grading activities are anticipated for the Project implementation. Therefore, the Project would not result in substantial soil erosion or loss of topsoil. Project impacts would be less than significant.

- c) **Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?**

Less Than Significant Impact.

Please see response to 4.6(a) above.

- d) **Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?**

Less Than Significant Impact.

The rehabilitation of the existing and serviceable facility does not involve the construction of habitable structures for residential or other public use. Implementation of the Project would not create substantial risks to life or property. Therefore, Project impacts would be less than significant.

- e) **Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of waste water?**

No Impact.

The Project does not include the installation of septic tanks, sewers or alternative waste disposal systems. Therefore, no impacts would occur as a result of this Project.

4.7 HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- a) **Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

Less Than Significant Impact.

Project-related construction activities may employ the use of small quantities of routine hazardous materials such as diesel fuel, paints, and solvents. The transport of these materials is regulated by the State and the transport of such materials to the Project area shall comply with these regulations. During construction, best management practices for spill control and prevention would also be employed. Hazardous materials would not be used during operation of the tide gate facility. Therefore, the Project would not create a significant hazard to the public or environment through the routine transport, use or disposal of hazardous materials. Impacts are considered less than significant.

- b) **Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

Less Than Significant Impact.

The Project does not pose a significant risk of accidental release or spills of hazardous materials. The Project's use of hazardous materials during construction is minimal and best management practices for spill control and prevention would be employed. Therefore, the Project would not create a significant hazard to the public or environment involving the release of hazardous materials into the environment. Impacts are considered less than significant. Additionally, please see response to 4.7(a) above.

- c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

Less Than Significant Impact.

There are no schools located in the immediate vicinity of the Project. The closest school to the Project area is the Westside Leadership Magnet School located at 104 Anchorage Street, approximately one mile from the Project site. Hazardous materials, substances or waste would not be handled within one-quarter mile of an existing school.

- d) **Be located on a site which is included on a list of hazardous materials sites Compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

No Impact.

The project area is not located on any identified hazardous materials sites. Therefore, the Project would not create a significant hazard to the public or the environment and no impacts would occur as a result of this Project.

- e) **For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public use airport, would the project result in a safety hazard for people residing or working in the project area?**

Less Than Significant.

The Project is located within two miles of the Los Angeles International Airport (LAX). However, the Project would not construct residential or commercial land uses within the Project area. In addition, the facility is predominately below street grade and does not propose any substantial structures above street grade. Accordingly, the Project does not conflict with the land use plan for the Los Angeles International Airport and would not result in a safety hazard for people residing or working within the Project area. Therefore, impacts are considered less than significant.

- f) **For a project within the vicinity of a private airstrip, would the project result in safety hazard for people residing or working in the project area?**

No Impact.

The Project is not located within the vicinity of a private airstrip. Therefore, the Project would not result in safety hazard for people residing or working in the Project area and no impacts would occur as a result of this Project.

- g) **Impair implementation of or physically interfere with an adopted emergency plan or emergency evacuation plan?**

Less Than Significant.

The Project would not physically interfere with an adopted emergency response plan or emergency evacuation plan during construction or operation of the Project. Project staff will coordinate with local emergency response agencies prior to construction to ensure proper response plans are in place. Pedestrian and vehicular access would be maintained along Via Marina at all times during construction. Additionally, pedestrian and vehicular access would not be adversely impacted during operation of the Project either. Therefore, Project impacts would be less than significant.

- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

No Impact.

There are no designated wildlands within the Project area. Therefore, the Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. No impacts would occur as a result of this Project.

4.8 HYDROLOGY AND WATER QUALITY

Would the project:

- a) Violate any water quality standards or waste discharge requirements?**

Less Than Significant Impact.

This Project does not involve changes to the existing tide gate facility which would change the hydrology or water quality of the facility.

Water quality standards for the receiving waters into which the County and City discharge are found in the Regional Water Quality Control Plan for the Los Angeles Basin (Basin Plan). The Basin Plan is routinely updated, by the RWQCD. The Regional Board assures that discharges do not result in the violation of applicable water quality standards by placing effluent and receiving water limitations in National Pollutant Discharge Elimination System (NPDES) Permits and Waste Discharge Requirements (WDRs). Project-related construction activities would be conducted pursuant to appropriate Best Management Practices (BMPs) mandated by the County's NPDES and Basin Plan. The Basin Plan and requisite BMPs would be incorporated into the Project to address the potential interim (i.e. retrofit installation-related) water quality impacts associated with the use of construction equipment. The implementation of these standard procedures would ensure that water quality standards are maintained.

Traditional dredge and excavation activities are not proposed. Nonetheless, it is possible that other activities associated with the tide gate retrofit may result in demolition debris and/or sediment discharges into the Grand Canal and Marina del Rey Channel. In order to ensure that potential water quality impacts are reduced or eliminated, care would be taken to capture any debris that may fall into the Grand Canal and Marina del Rey Channel when retrofit activities are conducted using silt curtains and other applicable BMPs. Furthermore, the construction would be conducted in phases with temporary coffer dam wall (or similar devices) installation followed by separately dewatering of the inlet and outlet of the discharge pipes. At least one discharge pipe would remain in operation pursuant to current standard operating procedures while the other discharge pipes are being cleaned and retrofitted with new gate assemblies. This would be done to avoid temporary hydrological impacts to the tidally-influenced environments of the Grand Canal and Marina del Rey Channel. Removing debris from each discharge pipe separately ensures constant tidal influence within the Grand Canal is maintained, while the operational equipment and gate assemblies are retrofitted to prevent adverse impacts (e.g., turbidity, salinity, Ph, water temperature, dissolved oxygen, etc.).

In addition, the LACDPW is in the process of securing authorizations and discretionary approvals from the CCC, USACE and the RWQCB for this Project. The Project would be required to comply with all applicable requirements and permit conditions. Therefore, Project would not violate any water quality standards or waste discharge requirements, and no impacts on water quality occur as a result of this Project. Additionally, please see response to 4.8(c) below.

- b) **Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**

No Impact.

The Project would not involve activities that would deplete groundwater supplies or interfere with groundwater recharge in the area. Therefore, no impacts would occur as a result of this Project. Additionally, please see responses to 4.8(a) and 4.8(c).

- c) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?**

No Impact.

The rehabilitation of this existing and serviceable tide gate facility would not alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation. The Project does not include the substantial obstruction or diversion of tidally-influenced flows from either the Grand Canal or the Marina del Rey Channel. No impacts would occur to the existing drainage pattern as a result of this Project. Additionally, please see responses to 4.8(a).

- d) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

No Impact.

The Project is designed to prevent flooding of nearby residences, maintain a constant water level in the Grand Canal and allow for continual tidal exchange with the Marina del Rey Channel. Rehabilitation of the existing facility would not substantially alter the existing drainage patterns of the site or area or substantially increase surface runoff and result in flooding. Therefore, no impacts would occur as a result of this Project. Additionally, please see responses to 4.8(a) and 4.8(c).

- e) **Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

No Impact.

The construction and operation of the Project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or

provide substantial additional sources of polluted runoff. Therefore, no impacts would occur as a result of this Project. Additionally, please see responses to 4.8(a) and 4.8(c).

f) Otherwise substantially degrade water quality?

Less Than Significant Impact.

The Project would not substantially degrade water quality, as detailed in 4.8(a) above. All work would be temporarily confined within coffer dams (or similar devices) and BMPS (i.e., silt curtains) to prevent adverse water quality impacts during construction within the Grand Canal or the Marina del Rey Channel. Consequently, no impacts to water quality would occur as a result of this Project.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No Impact.

The Project does not involve the construction of housing within a 100-year floodplain. Therefore, no impacts to housing would occur as a result of this Project.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

No Impact.

The rehabilitation of an existing and serviceable facility would not place new structures within a 100-year flood hazard area, nor would they impede or redirect flood flows. The tide gate facility was designed and installed to prevent flooding of nearby residences. Therefore, no impacts would occur as a result of this Project. Additionally, please see responses to 4.8(a) and 4.8(c).

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

No Impact.

The Project would not expose people or structures to significant risk of loss, injury or death involving flooding. The rehabilitated facility is intended to prevent flooding of nearby residences. Therefore, no impacts would occur as a result of this Project.

j) Inundation by seiche, tsunami, or mudflow?

Less Than Significant Impact.

Seiches result from the sloshing of captive bodies of water. According to the *Marina del Rey Land Use Plan*, the possibility of seiche occurring in the Project area is relatively low. Due to the location of the Project and its proximity to active faults in the area, the Project may be subject to inundation by tsunami and mudflows during major seismic events. There are no methods which would provide full protection to physical structures in the marina during a tsunami or mudflow event. The *Marina del Rey Land Use Plan* asserts that the finished Project and street elevations are 20 and 10 feet - respectively, above mean sea level to minimize any potential damage from a tsunami or mudflow event. In addition, the Project does not include the construction of habitable structures

which would expose people to these hazards. Therefore, the Project is not expected to increase the risk of inundation by seiche, tsunami, or mudflow and impacts would be less than significant.

4.9 LAND USE AND PLANNING

Would the project:

- a) **Physically divide an established community?**

No Impact.

The rehabilitation of the existing facility would not physically divide an established community. Therefore, no impacts to established communities would occur as a result of this Project.

- b) **Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?**

No Impact.

The Project would not conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the Project. In addition, the LACDPW is in the process of securing authorizations and discretionary approvals from the CCC, USACE and RWQCB for this Project. Therefore, no impacts would occur as a result of this Project. Additionally

- c) **Conflict with any applicable habitat conservation plan or natural community conservation plan?**

No Impact.

The Project would not conflict with any applicable habitat conservation plan or natural community conservation plan. Therefore, no impacts associated with conservation plans would occur as a result of this Project. Additionally, please see responses to 4.4(a), 4.4(d) and 4.4(f) above.

4.10 MINERAL RESOURCES

Would the project:

- a) **Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?**

No Impact.

The County of Los Angeles General Plan establishes sand and gravel as mineral resources. The Project is not located in a mineral resource area as designated by the General Plan and would not result in the loss of either sand or gravel. Therefore, the rehabilitation of an existing facility would not result in the loss of availability of any known mineral resource that would be of value to the region and the residents of the State. Therefore, no impacts related to mineral resources would occur as a result of this Project.

- b) **Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

No Impact.

The Project is not located on or within a locally-important mineral resource recovery site as delineated on any local general plan, specific plan, or other land use plan. Therefore, no impacts related to mineral recovery sites would occur as a result of this Project. Additionally, please see response to 4.10(a) above.

4.11 NOISE

A site-specific Noise Analysis was conducted for the project (refer to Appendix B, *Noise Analysis*).

Would the project result in:

- a) **Exposure of persons to or generation of noise level in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Less Than Significant.

The noise analysis conducted for the Project calculated noise from the operation of the rehabilitated tide gate at a distance consistent with the two nearest homes located within 150 feet of the tide gate. The projected noise level at the nearest home west of the tide gate was calculated at 42.5 dBA. The projected noise level at the nearest home to the east of the facility was calculated at 40.8 dBA. As such, the unmitigated noise level from the Project is expected to be less than the 45 dBA night time noise standard (which is more stringent than the County Noise Ordinance day time standard) stated in the County of Los Angeles Noise Ordinance at the homes closest to the Project. In compliance with the County of Los Angeles Noise Ordinance standards, construction activities would be limited to day light hours between 7:00 a.m. and 7:00 p.m. weekdays, between 8:00 a.m. and 6:00 p.m. on Saturdays, and no construction activities would be allowed on Sundays or on national holidays to further minimize potential noise related impacts. Detailed noise analysis, noise standards for Los Angeles County, and evaluation assumptions are provided in the Noise Analysis. Accordingly, noise-related impacts due to construction and operation of the Project would be less than significant.

- b) **Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?**

No Impact.

Small portable motorized equipment and power tools will be used for the construction of the improvements. The mechanical equipment associated with the Project would operate at a frequency, and would be located at such a distance from the nearest residences, that it is not expected to generate any level of vibration perceivable by people. Therefore, there would be no adverse vibration impacts associated with the construction and operation of the Project.

- c) **A substantial permanent increase in the ambient noise levels in the project vicinity above levels existing without the project?**

No Impact.

The ambient noise level in the Project area was determined to be in excess of 50 dBA due to vehicle traffic on Via Marina, boat traffic in and around the Grand Canal or the Marina del Rey Channel, and air traffic noise from flight operations at LAX (Appendix B). The projected noise level due to operations of the Project are expected to be less than 43 dBA, which would add less than one decibel to the ambient noise level, which is less than audible and includes the current existing tide gate operations. Consequently, there would be no substantial increase in ambient noise levels due to implementation of the Project and therefore there would be no impact.

- d) **A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

Less Than Significant After Mitigation Incorporated.

Project specific construction activities would involve the use of portable motorized equipment and power tools which would result in a temporary increase in current local noise levels. Increased traffic from construction vehicles (approximately 12 trucks per day) would also generate added noise during the construction phase and contribute to temporary or periodic increase in ambient noise levels. However, in compliance with the County of Los Angeles Noise Ordinance standards, construction activities would be limited to day light hours between 7:00 a.m. and 7:00 p.m. weekdays, between 8:00 a.m. and 6:00 p.m. on Saturdays, and no construction activities would be allowed on Sundays or on national holidays to further minimize potential noise related impacts. Construction activities completed during the aforementioned timeframes are exempt from the County of Los Angeles Noise Ordinance. Nonetheless, implementation of mitigation measures shall ensure that potential noise impacts are less than significant.

Please also refer to question 4.11a) regarding anticipated noise level at nearest sensitive receptor (i.e., residence).

- e) **For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

No Impact.

The Project area is located within two miles of Los Angeles International Airport. However, the rehabilitation of an existing tide gate facility would not increase the exposure of people residing or working in the Project area to additional excessive noise levels as a result of its proximity to the airport. Therefore, there would be no impact.

- f) **For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**

No Impact.

The Project area is not located within the vicinity of any private air strip; therefore there would be no impact.

Mitigation Measures

In order to minimize the potential noise impacts to the nearest noise sensitive receivers during the period of construction, the following measures would be implemented.

- NOI-1:** Construction vehicles and other engine-powered equipment will be periodically inspected to ensure proper functionality and will be equipped with required muffling devices to control noise levels.
- NOI-2:** Limit the hours of construction to the times specified within the County of Los Angeles Noise Ordinance. The ordinance does not allow construction work to occur between weekday hours of 7:00 p.m. and 7:00 a.m., between 6:00 p.m. and 8:00 a.m. on Saturdays, and not at any time on Sundays or national holidays. Additionally, the operation, repair, or servicing of construction equipment and the job-site delivering of construction materials shall be prohibited on Saturdays and Sundays during the aforementioned hours.
- NOI-3:** Construction equipment items (e.g. air compressors, generators, etc.) and material storage areas would be located within the designated work and staging areas, and would be located as far from the residential properties as is reasonably possible. In addition, heavy mobile equipment will be situated as far as reasonably possible from residences.
- NOI-4:** Precautions shall be taken to not drop heavy items to the ground.
- NOI-5:** In accordance with the County of Los Angeles Noise Ordinance standards, construction activities shall be completed in such a manner that the maximum noise levels at noise sensitive receptors will not exceed 75 dBA daily during the hours of 7:00 a.m. to 8:00 p.m., except Sundays, and 60 dBA daily, during the hours of 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays for any nonscheduled, intermittent, short-term operation (less than 10 days) of mobile equipment.
- NOI-6:** In accordance with the County of Los Angeles Noise Ordinance standards, construction activities shall be completed in such a manner that the maximum noise levels at noise sensitive receptors will not exceed 60 dBA daily during the hours of 7:00 a.m. to 8:00 p.m., except Sundays, and 50dBA daily, during the hours of 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays for any repetitively scheduled and relatively long-term operation (periods of 10 days or more) of stationary equipment.

4.12 POPULATION AND HOUSING

Would the project:

- a) **Induce substantial growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

No impact.

The Project is a capital improvement to an existing tide gate facility and would not induce any growth in the area. Therefore, no impacts related to growth would occur as a result of this Project.

- b) **Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

No impact.

The rehabilitation of the existing facility does not involve the displacement of existing houses and the construction of any replacement housing. Therefore, no impacts related to housing would occur as a result of this Project.

- c) **Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

No impact.

The Project would not displace people or necessitate the construction of any replacement housing. Therefore, no impacts to population would occur as a result of this Project.

4.13 PUBLIC SERVICES

- a) **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any public services:**

(i) **Fire protection?**

(ii) **Police protection?**

Less Than Significant Impact.

Traffic/emergency and pedestrian access and circulation through Via Marina, the Grand Canal and the Marina del Rey Channel would be maintained throughout all phases of Project execution. Therefore, impact to fire and police protection would be less than significant.

(iii) **Schools?**

No Impact.

There are no schools located in the immediate vicinity of the Project area. The closest school to the Project is the Westside Leadership Magnet School, located at 104 Anchorage Street, approximately one mile from the Project area. The Project would not

cause a population growth which would increase the demand for additional school facilities. Therefore, no impacts to schools would occur as a result of this Project.

(iv) Parks?

No Impact.

The Project does not include residential uses and would not increase the use of existing neighborhood or regional park facilities. Expansion or construction of additional recreational facilities would not occur or be requisite as a result of Project execution. Therefore, no impacts to parks would occur as a result of this Project.

(v) Other public facilities?

No Impact.

The rehabilitation of an existing facility would not have a substantial adverse physical impact on other public facilities. Therefore, no impacts to other public facilities would occur as a result of this Project.

4.14 RECREATION

- a) **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

No Impact.

The rehabilitation of the existing tide gate facility would not increase the use of existing neighborhood and regional parks. Therefore, no impacts parks and recreational facilities would occur as a result of this Project.

- b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?**

No Impact.

The Project does not include recreational facilities or require the expansion or construction of new recreational facilities which might have an adverse effect on the environment. Therefore, no impacts to the environment related to recreational facilities would occur as a result of this Project.

4.15 TRANSPORTATION/TRAFFIC

Would the project:

- a) **Cause an increase in traffic which is substantial in relation to the existing system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?**

Less Than Significant Impact.

Construction of the Project may cause a temporary increase in traffic (12 trucks per day) in relation to the existing traffic load and capacity along Via Marina. This temporary increase in traffic would be a result of the limited number of vehicle trips or the volume-

to-capacity ratio on roads due to construction-related vehicles in the immediate Project area. During construction, the number of daily trips within the area would be expected to incrementally increase as a result of construction workers traveling to and from the Project (10 trucks per day). However, these increases would be relatively minor and temporary in nature. Vehicular access along Via Marina would be maintained during construction. Approximately 50 cubic yards of sediment debris and construction demolition debris would be transported out of the Project area. Nonetheless, the minor amount of debris would require only one to two trucks per day for the duration of the Project, which would not substantially increase the amount of traffic on Via Marina and within the Project area.

Operation of the proposed Project is expected to require one maintenance vehicle traveling to and from the Project area per quarter (or four roundtrips per year). The tide gate facility is currently in operation and requires the same quarterly maintenance trips. The number of maintenance trips for the new automated facility after the Project has been constructed is not expected to increase. Therefore, operation of the rehabilitated tide gate facility would not result in an increase in vehicle trips. Accordingly, volume capacity ratios would not change or affect the existing traffic condition of the surrounding area. Thus, impacts to roadway congestion and traffic increases are considered less than significant.

- b) **Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads?**

Less Than Significant Impact.

The Project would not significantly increase traffic levels in the Project area during construction. In addition, the operation of an automated tide gate facility would not result in an increase in vehicle trips or volume capacity ratios. As such, the project will not exceed individually or cumulatively a level of service standard established by the County. Impacts are considered less than significant. Refer to 4.15(a) above.

- c) **Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

No Impact.

The Project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that could result in substantial safety risks. Therefore, no impacts to air traffic patterns would occur as a result of this Project.

- d) **Substantially increase hazards due to design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

No Impact.

The Project does not involve changes to current circulation design and would not substantially increase hazards (e.g., sharp curves or dangerous intersections) or incompatible uses. Pedestrian and vehicular access on Via Marina would be allowed during construction. Therefore, no impacts would occur as a result of this Project.

e) Result in inadequate emergency access?

Less Than Significant Impact.

Pedestrian and vehicular access would be maintained during the construction of the Project in accordance with all emergency response and evacuation plans. The operation of the tide gate would not affect emergency access or evacuation. Therefore, the Project would not result in inadequate emergency access and impacts would be less than significant.

f) Result in inadequate parking capacity?

Less Than Significant Impact.

The Project would temporarily reduce parking capacity during construction to accommodate staging and lay down locales. No more than ten public metered parking spaces along Via Marina would be used as a temporary construction staging area. The remaining 49 spaces would remain accessible to the public during construction. Consequently, impacts to public parking would be temporary and are considered less than significant.

g) Conflicts with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

No Impact.

The Project would not conflict with any adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks, etc.) Therefore, no impacts would occur as a result of this Project.

4.16 UTILITIES AND SERVICE SYSTEMS

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

No Impact.

The Project would not alter or exceed wastewater treatment requirements. Construction and operation of the tide gate would not generate wastewater. Therefore, no impacts would occur as a result of this Project.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

No Impact.

The rehabilitation of an existing and serviceable tide gate facility would not result in the construction of new water or wastewater treatment facilities. Construction and operation of the facility would not require additional water supplies and would not generate wastewater. Therefore, no impacts to wastewater treatment facilities would occur as a result of this Project.

- c) **Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

Less Than Significant.

The Project would not alter storm water infiltration or runoff such that the construction of new storm water drainage facilities or the expansion of existing facilities would be required. Therefore, no impacts to storm water drainage facilities would occur as a result of this Project.

- d) **Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?**

No Impact.

The operation of the rehabilitated tide gate would not require additional water supplies. Therefore, no impacts to water supplies would occur as a result of this Project.

- e) **Result in determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

No Impact.

The Project would not generate wastewater and would not require the use of wastewater treatment facilities. Therefore, no impacts to wastewater would occur as a result of this Project.

- f) **Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

Less Than Significant.

Debris generated during the construction of the Project would be minimal and is not expected to have a significant impact on any local landfill capacities. Approximately 50 cubic yards of sediment debris would be removed from the Project area and would be legally disposed in accordance with applicable regulatory standards. The operation of the Project would not generate any new solid waste. Therefore, solid waste impacts to landfill capacity are considered less than significant.

- g) **Comply with federal, state, and local statutes and regulations related to solid waste?**

Less Than Significant.

The rehabilitation and operation the tide gate facility would not generate excessive amounts of solid waste. Approximately 50 cubic yards of sediment debris would be removed from the Project area during construction. Standard County and City of Los Angeles provisions governing construction projects require full compliance with all federal, state, and local laws and regulations, including those related to solid waste. Therefore, impacts to solid waste would be considered less than significant.

4.17 MANDATORY FINDINGS OF SIGNIFICANCE

- a) **Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

Less Than Significant.

The Project would replace an existing tide gate facility with a rehabilitated facility that is similar in size and nature to the existing tide gate facility. The Project has minimal potential to significantly degrade the environment or result in significant adverse impacts to biological resources. Construction and implementation of the Project would not adversely impact native vegetation, wildlife, biological resource movement corridors or foraging patterns in the Project area. No native upland or wetland vegetation is proposed for removal and no traditional dredge or excavation activities are proposed. Adverse impacts to biological resources and localized water-chemistry would be avoided and minimized through phasing of the retrofit work to maintain the tide gate facility in operation during construction, pursuant to current operating procedures of the Los Angeles County Department of Beaches and Harbors. In addition, dewatering activities would be conducted during construction such that any fish or wildlife contained within the temporary coffer dam (or similar device) and conduits would be allowed to exit without harm. Construction impacts include potential temporary displacement of foraging birds in the immediate vicinity of the Project due to construction activities. These impacts are not considered significant because of the relatively small amount of functional foraging habitat (less than 0.04 acres) affected by the Project. Furthermore, a sufficient quantity of available least tern foraging habitat exists in the local area.

The Project is located approximately 1,000 feet from a least tern nesting area. However, as discussed in this document, this Project is unlikely to disrupt the breeding activities of the least tern. Although Project activities may temporarily deter individual terns from utilizing the relatively small Project construction area for foraging, this impact would be limited to the period of active tide gate rehabilitation and is not expected to result in any long term or substantial changes in migration or foraging patterns for terns. Additionally, Project activities would not destroy nests or cause mortality of nestlings or adults, nor would they affect the annual production of the local tern colony. Impacts have been evaluated and feasible mitigation measures have been identified to reduce impacts to biological resources to a less than insignificant level.

The rehabilitation of an existing serviceable tide gate facility does not have the potential to eliminate important examples of the major periods of California history or prehistory. Based on the cultural resources investigations conducted within the Project area, there are no known resources located within the Project's disturbance foot print. In addition, for the reasons discussed herein, the potential for unanticipated discoveries of resources during construction activities is low.

- b) **Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?**

Less Than Significant.

The following table lists planned projects identified, in coordination with the County’s Planning Department, within a one-mile radius of the Project area that were considered for this cumulative impacts analysis:

Table 1 – Planned Projects Within One Mile of Project Area

Project Description	Location	Lead Agency	Construction Timeline
1 72 dwelling unit apartment; 368 square feet restaurant; 16,352 square feet retail, 7,888 square feet office	Washington Street	LA County Department of Regional Planning	Approx. start in early 2012
2 114 dwelling unit retirement facility, 5,000 square feet retail, 6,000 square feet commercial office	Panay Way	LA County Department of Regional Planning	Approx. start in late 2010
3 544 dwelling unit apartment	Dell Alley & Panay Way	LA County Department of Regional Planning	Approx. start in mid 2010
4 940 dwelling unit apartment; 82 dwelling unit senior apartment; 4,000 square feet retail; 6,000 square feet commercial; 439 boat slips	Via Marina	LA County Department of Regional Planning	Phase I completed in 2008. Construction to begin again in late 2010
5 478 dwelling unit apartment; 500 square feet retail; 34 boat slips	Fiji Way	LA County Department of Regional Planning	Approx. start in mid 2010 to last for 36 months
6 35 dwelling unit townhouse; 2,000 square feet retail; 2,000 square feet restaurant	Pacific Avenue & Culver Boulevard	City of Los Angeles	Unknown**
7 111-room hotel	Via Marina	LA County Department of Regional Planning	Under construction
8 132-room hotel; 1,230 seat restaurant; 24,250 square feet retail; 5,200 square feet office; 26 boat slips	Fiji Way	LA County Department of Regional Planning	Approx. start in late 2011
9 Venice Pumping Plant Dual Force Main Project	Venice Beach, Marina del Rey, Dockweiler Beach, & Playa del Rey	City of Los Angeles	Approx. start in Dec. 2010, end in Sep. 2013

** Per Jeff Puehl, Community Planner for the Westchester Area of the L.A. City Planning Department, the project has been on hold since 2006.

As detailed in Table 1, future development is anticipated and planned for in the area. According to the State CEQA Guidelines Section 15355, cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which

compound or increase other environmental impacts. Cumulative impacts would consider impacts from this Project and the projects listed in Table 1. Project numbers 1, 9, and 10 in the above table would not overlap with the tide gate rehabilitation project. In addition, the Project is small in comparison to the projects listed in Table 1. As detailed herein, the proposed Project, would comply with all applicable codes, laws, ordinances, and regulations to minimize or avoid impacts altogether. Furthermore, the above-listed planned projects also would be required to comply with all applicable local, state and federal codes, ordinances, laws, and other required regulations. Thus, the Project's incremental contribution to cumulative effects is not considerable.

The Project would result in impacts to some environmental resources. However, implementation of identified mitigation measures and compliance with applicable codes, ordinances, laws, and other required regulations would reduce the magnitude of any impacts to a less than significant level. Since the tide gate facility is currently in operation, rehabilitation and automation of this serviceable structure would not result in additional cumulative impacts. Therefore, this Project would have a less than significant impact on environmental resources when considered cumulatively with related projects in the vicinity.

Construction activities related to the rehabilitation of this serviceable tide gate facility are consistent with local and regional land use, air quality, water quality, and transportation plans. Accordingly, the Project would have a less than significant impact on these environmental factors when considered cumulatively with other projects in the vicinity. Continued operation of an existing tide gate is not expected to contribute to cumulative impacts. However, construction activities associated with the Project may have the potential to result in cumulative impacts related to biological resources, utilities, traffic, noise, and GHG emissions.

Noise

Noise impacts from construction are typically site specific and do not result in cumulative impacts when considered in conjunction with other projects. Nonetheless, implementation of specific mitigation measures and compliance with applicable ordinances, laws and other required regulations would reduce the magnitude of any adverse impacts associated with construction activities to a less than significant level.

Biological Resources

As discussed, the Project construction has the potential to impact California least tern. However, the Project specific avoidance and minimization measures detailed herein would reduce these impacts to a less than significant level. Other projects in the area would also be required to avoid, minimize and mitigate impacts to the local least tern population. Thus, the Project is not expected to result in cumulative impacts to biological resources.

Traffic

Construction of the Project may cause a temporary increase in traffic (12 trucks per day) in relation to the existing traffic load and capacity along Via Marina. This temporary increase in traffic would be a result of the limited number of vehicle trips or the volume-to-capacity ratio on roads due to construction-related vehicles in the immediate Project

area. During construction, the number of daily trips within the area would be expected to incrementally increase as a result of construction workers traveling to and from the Project (10 trucks per day). However, these increases would be relatively minor and temporary in nature. Vehicular access along Via Marina would be maintained during construction. Operation of the rehabilitated tide gate facility would not result in traffic increase.

Global Climate Change

Global climate change is caused by the addition of massive quantities of GHG emissions to the atmosphere due primarily to human activities in the last 150 years from all over the world. For example, about 29 billion metric tons of CO₂ were added to the Earth's atmosphere in 2006 alone (Energy Information Administration 2006). Additionally, AB 32 caps California's GHG emissions at 1990 levels by 2020, which CARB has determined to be 427 million MT per year (CARB 2007). Accordingly, the maximum GHG emissions calculated for the proposed project for both construction and operation (222.27 MT CO₂e) would represent 0.0000077 percent of current 2006 yearly global emissions and 0.000052 percent of desired yearly California emissions. If viewed apart from the GHG emissions produced by activities elsewhere in the world, the mass of GHG emissions generated by the construction and operation of an individual project such as the proposed project would be so minute that the concentration of GHG emissions in the atmosphere would essentially remain the same. Projects within a one-mile radius are not sufficient to determine the project's cumulative impacts, since, according to CAPCOA, global climate change is a global phenomenon affected by GHGs around the world. Additionally, the project's GHG emissions from construction and operation are below CAPCOA's 900 MT CO₂e interim threshold of significance. Therefore, the Project's cumulative impacts on global climate change are considered less than significant. For a detailed discussion of cumulative impacts with regards to global climate change, refer to *Appendix A, Air Quality Analysis* of this document.

Effects of Global Climate Change on the Project

A substantial change in the global climate is anticipated to result in potential increases, globally, regionally, and/or locally, in the frequency and intensity of forest/wildland fires, rising sea levels and increased flooding, and decreasing water availability. The anticipated impact of each of these on the project is discussed below.

The tide gate is located within a suburban environment, adjacent to the coastline; thus, wildfires are not expected to threaten the project directly. There are no heavily forested areas surrounding the project site. Additionally, California Public Resources Code 4291 requires property owners to maintain appropriate firebreaks. Thus, impacts associated with climate change-induced wildland fires are considered to be minimal.

Climate change-induced flooding may occur from either a permanent rise in sea levels or temporary or seasonal rise in surface water. Marina del Rey is located adjacent to the Pacific Ocean, at an elevation of approximately 10 feet above mean sea level. According to the California Climate Change Center's March 2009 draft paper, "The Impacts of Sea Level Rise on the California Coast," under medium to medium-high emissions scenarios the "mean sea level along the California coast will rise from 1.0 to 1.4 meters (3.28 to 4.59 feet) by the year 2100." The tide gate is designed to control

flooding by closing during incoming (flood) tides to prevent tidal waters from moving upland. Therefore, risks to the proposed project from climate change-induced flooding are assumed to be minimal.

Continued operation of the tide gate would not be affected by potential impacts from climate change-induced water shortages.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant.

As discussed herein, environmental effects on air quality, traffic, aesthetics and public services as a result of the Project are minimal and temporary in nature. This Project includes rehabilitation of an existing operational tide gate facility and construction activities associated with the Project are minor and short-term. Accordingly, the Project is not expected to result in significant environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

5.0 REFERENCES

Sources of information that adequately support findings of no significant impact are referenced by number after each question in the Initial Study Checklist and occasionally within the text explanations. All sources so referenced are cited below and are available by appointment for review at the offices of the Department of Public Works, 900 South Fremont Avenue, 5th Floor, Alhambra, CA 91803-1331

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URS. 2007. Presence/Absence Survey Results for Eelgrass (*Zostera marina*) and Caulerpa for the Marina del Rey Tide Gate Rehabilitation Project. Prepared for Los Angeles County Department of Public Works (LACDPW).

6.0 LIST OF PREPARERS

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7.0 RESPONSE TO COMMENTS

The Draft MND for this project was distributed for 45-day public review and comment. Once the review period concluded, comments on the Draft MND submitted to the County of Los Angeles within that period, were reviewed, and responses were prepared for inclusion in the Final MND.

This section provides responses to comments submitted to LACDPW by public agencies and individuals during the public comment period. Copies of the written comment letters are provided at the end of this section. Each letter and e-mail message received has been identified by an abbreviated name (e.g. DOT, VOC, etc.). The comment letters received are arranged in sequence by the name of the government agency, public interest group or individual submitting the comment. Comments requiring specific responses are numbered (e.g. -1, -2, -3, etc.), and are referred to by the combined abbreviated author name and number coding in the response section (e.g. DOT-1, VOC -2, etc.).

The following persons, organizations, and public agencies submitted written comments on the Draft MND:

State Agencies

DFG	Department of Fish and Game Scott Harris, Environmental Specialist May 24, 2007
DOT	Department of Transportation District 7, Regional Planning Cheryl J. Powell, IGR/CEQA Branch Chief May 4, 2007

Local Agencies

LACITY	City of Los Angeles, Department of Public Works James E. Doty for ARA J. Kasparian, Ph.D., Manager May 15, 2007
VOC	"Voice of the Canals" Residents Organization Darryl Dufay, Co-President May 11, 2007

7.1 COMMENTS AND RESPONSES

Comment DFG -1

Jurisdictional Drainages - Based upon the description of the project the Department recommends that LACDPW apply for a streambed alteration agreement with the Department as the project will involve installation of temporary sand bags or a temporary coffer dam at the inlet and outlet of the discharge pipes in order to dewater the work area.

Response

Comment acknowledged. No Streambed Alteration Agreement is required. See below e-mail dated August 16, 2007, from Scott Harris of DFG to Gil Garcia of the County of Los Angeles, Department of Public Works.

-----Original Message-----

From: Scott P. Harris [<mailto:spharris@dfg.ca.gov>]

Sent: Thursday, August 16, 2007 3:17 PM

To: Garcia, Gil

Subject: Grand Canal

Gil,

If the grand canal is subject to tidal influence, as indicated from your description of the project, the proposed project would not need a streambed alteration agreement or authorization from our Marine Resources Division. The Corps of Engineers however may have authority and you may want to check with them also if you have not done so already. If you require a letter from DFG to satisfy the Coastal Commission stating no DFG jurisdiction please contact Jamie Jackson with the streambed unit at 626/296-3430. Please tell her that the grand canal empties into the Santa Monica Bay or if it empties into another drainage first specify that because her territory for streambed work is by watershed. Thank you.

Scott

Comment DFG -2

Nesting Birds - The proposed project may result in a disturbance to nesting bird habitat from project related activities and therefore has the potential to directly impact native nesting native bird species. a. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918(50 C.F.R. Section 1 0.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).

Response

Comment acknowledged. In response to your comment regarding nesting birds, it is uncertain at this time whether construction would occur during the avian nesting season or not. To that end, in addition to the mitigation measure for the Least Tern included within the Draft MND, the following mitigation measure will be implemented:

BIO-1: Should Project activities occur during the nesting season (e.g., March 1 – August 31, but as early as February 1 for some species of raptor); a pre-construction presence/absence survey shall be performed within 1,000 feet of the construction work area by a qualified biologist. The survey shall be conducted no more than three days prior to the initiation of Project activities. If a protected or nesting bird is found or an active nest is located, all construction activities within 300 feet of passerine nest and within 500 feet of raptor nests shall be postponed until the nest is vacated and juveniles have fledged. Construction limits shall be established in the field to avoid nests and construction personnel shall be instructed on the sensitivity of these areas. The results of this measure shall be recorded to document compliance with applicable state and federal laws pertaining to the protection of nesting birds and raptors. Furthermore, Project activities within the least tern seasonal occupancy period of March 1st through September 15th would be monitored by a qualified biologist and constrained in accordance with the protocol noted above to avoid adverse impacts to terns.

Comment DFG -3

Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1 – August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).

Response

Comment acknowledged. See Response to Comment DFG -2 above.

Comment DFG -4

If project activities cannot feasibly avoid the breeding bird season, the Department recommends that beginning thirty days prior to the disturbance of suitable nesting habitat the project proponent should arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys should be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys should continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work. If a protected native bird is found, the project proponent should delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt

at nesting. Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing marking the protected area 300 feet (or 500 feet) from the nest. Construction personnel should be instructed on the sensitivity of the area. The project proponent should record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

Response

Comment acknowledged. See Response to Comment DFG -2 above.

Comment DOT-1

Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful of your need to discharge clean run-off water.

Response

The project would include building temporary cofferdams by manual placement of sand bags or similar structures to divert water away from the tide gate inlet and outlet during construction of the Project. Sediment and debris will be separated from channel water. A vacuum truck (or similar technology) will be used to remove and haul away sediment debris from discharge pipes.

As discussed in Section 4.8(a), the LACDPW is in the process of securing authorizations from CCC, USACE, and RWQCB for this Project. Traditional dredge and excavation activities are not proposed. Nonetheless, it is possible that other activities associated with the tide gate retrofit may result in demolition debris and/or sediment discharges into the Grand Canal and Marina del Rey Channel. In order to ensure that potential water quality impacts are reduced or eliminated, care would be taken to capture any debris that may fall into the Grand Canal and Marina del Rey Channel when retrofit activities are conducted using silt curtains and other applicable BMPs. Furthermore, the construction would be conducted in phases with temporary coffer dam wall (or similar devices) installation followed by separately dewatering of the inlet and outlet of the discharge pipes. At least one discharge pipe would remain in operation pursuant to current standard operating procedures while the other discharge pipes are being cleaned and retrofitted with new gate assemblies.

Project-related construction activities would be conducted pursuant to appropriate Best Management Practices (BMPs) mandated by the County's NPDES and Basin Plan. The Basin Plan and requisite BMPs would be incorporated into the Project to address the potential interim (i.e. retrofit installation-related) water quality impacts associated with the use of construction equipment. The implementation of these standard procedures would ensure that water quality standards are maintained.

Comment DOT-2

Any transportation of heavy equipment and/or materials which requires the use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. We recommend that large sized truck trips be limited to off-peak commute periods.

Response

All required Caltrans permits, if required, will be obtained for the Project. The increase in construction-related vehicle trips would be relatively minor and would not substantially increase the amount of traffic on Via Marina or within the Project area. The number of trucks necessary to remove debris is estimated to be no more than one to two trucks daily.

Comment LACITY-1

The MND/IS lacks page numbers beyond the first page. Subsequent references to page numbers are based upon the provided Table of Contents.

Response

Comment acknowledged. Page numbers have been added to the document.

Comment LACITY-2

Under Biological Resources, Section 6.4, Environmental Checklist and Discussion, Page 13, the biological resources discussion section should begin with a description of the Ballona Lagoon, being a sensitive habitat and being adjacent to the project site. The topic sentence is a summary of land uses, which has nothing to do with biological resource issues.

Response

The biological resources discussion section has been moved from Section 6.4 to Section 4.4. The discussion begins with a summary of the surrounding land uses and includes a description of the Ballona Lagoon, which would be avoided by the Project.

Comment LACITY-3

Under Noise, Section 6.11, Environmental Checklist and Discussion, Page 25, the third sentence states, "... potential noise impacts may be significant to nearby residences without mitigation measures." The paragraph concludes with the statement that impacts are considered, "Potentially Significant Unless Mitigation Is Incorporated." The paragraph is vague. Predicted noise levels are not quantified and no thresholds are provided. The text provides no basis for the four, subsequently listed mitigation measures.

Response

A noise analysis has been conducted for the Project and is attached to the Final IS/MND as Appendix B. Construction activities will be limited to daylight hours between 7am and 7pm weekdays, and between 8am and 6pm on Saturdays. No construction activities will be allowed on Sundays or on national holidays to further minimize any potential noise related impacts. Any nonscheduled, intermittent, short-term (less than 10 days) operational noise impacts will not exceed 75 dBA daily, during the hours of 7:00 a.m. to 8:00 p.m., except Sundays, and 60dBA daily, during the hours of 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays. Any repetitively scheduled and relatively long-term (periods of 10 days or more) operational noise impacts will not exceed 60 dBA daily during the hours of 7:00 a.m. to 8:00 p.m., except Sundays, and 50dBA daily, during the hours of 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays.

Comment LACITY-4

Under Proposed Mitigation Measures, pages 5 and 27, Measure Noise-1 states in the last sentence, "Haul trucks shall be operated in accordance with posted speed limits." Compliance with traffic laws is not a mitigation measure.

Response

Comment acknowledged. Noise mitigation measures have been revised. Noise-1 has been replaced with NOI-1.

Comment LACITY-5

Under Proposed Mitigation Measures, pages 5 and 27, Measure Noise-4 states in part, "precautions should be taken to not drop heavy items to the ground." Does a standard safety precaution represent mitigation?

Response

Comment acknowledged. Mitigation measures are adequate to reduce identified effects to less than significant.

Comment LACITY-6

Curtis Cash (Water Biologist III, with the Bureau of Sanitation, Environmental Monitoring Division) commented on the tide gate's operational impact on biological resources and water quality (physico-chemical) parameters.

On many spring (celestially amplified) high tides, City staff has observed that the County closes the tide gates to reduce the potential for residential flooding. Closed gates prevent tidal flushing/exchange, and could potentially result in a radically altered physico-chemical environment, and thus prove detrimental to marine/estuarine biota. In order to reduce any potential adverse impacts to water quality, and subsequently to the marine/estuarine biota, we suggest alteration of the gate's operational parameters (opening/closing frequency and duration) to maintain tidal flushing during construction.

Response

Comment acknowledged. The project goal is to automate and control tide gate operation via electronic controls rather than manual controls without long-term modification of the current Los Angeles Department of Beaches and Harbors operating procedures (no long term modification of the presently tidally-influenced and anthropogenic hydrologic regime of the Grand Canal) to prevent residential flooding, to maintain a constant water surface in the Grand Canal, and to allow for a constant tidal exchange with the marina.

Comment VOV-1

The "Voice of the Canal" residents' organization, with almost two hundred members, is pleased to support this project.

Response

Your support of the project is acknowledged.

Comment VOC-2

We have reviewed the Initial Study and Mitigated Negative Declaration. The proposed six month project to "rehabilitate, retrofit, and upgrade" the existing manually-operated tide gate is to be completed in a staged and mitigated manner that maintains the flood control function of the gates, and is sensitive to and protects the aquatic wildlife and wetland vegetation. The Marina tidal gates along with the slide gates maintained by the City of Los Angeles at Washington Blvd. on the Grand Canal, control the water to the mile and a half of waterways that comprise the Venice Canals. These gates prevent flooding of the canals. In addition, both gates provide ocean water for the twice weekly flushing of our canals, which maintains the quality of the wildlife and recreational opportunities as required by the Coastal Act of 1976.

Response

Comment acknowledged. The project goal is to automate and control tide gate operation via electronic controls rather than manual controls without long-term modification of the current Los Angeles Department of Beaches and Harbors operating procedures (no long term modification of the presently tidally-influenced and anthropogenic hydrologic regime of the Grand Canal) to prevent residential flooding, to maintain a constant water surface in the Grand Canal, and to allow for a constant tidal exchange with the marina.

Marina Del Rey Tide Gate Rehabilitation Project IS/MND
County of Los Angeles, Department of Public Works

Garcia, Gil

From: Scott P. Harris [sparris@dfg.ca.gov]
Sent: Thursday, May 24, 2007 11:11 AM
To: Garcia, Gil
Cc: Marilyn Fluharty; JJackson@dfg.ca.gov
Subject: Marina Del Rey Tide Gate Rehab. Project

Mr. Garcia,

The Department of Fish and Game (Department) received the Draft Mitigated Negative Declaration on 5/3/03 for the above referenced project located at Pacific and Via Marina in Marina Del Rey. The project includes the rehabilitation and retrofitting of an existing serviceable tide gate facility and debris removal from said tide gate to control constant water surface in the Grand Canal and allow for constant tidal exchange with Marina Del Rey.

The following statements and comments have been prepared pursuant to our authority as Trustee Agency with jurisdiction over natural resources affected by the project under the California Environmental Quality Act (CEQA Section 15386) and Responsible Agency (Section 15381) over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code Section 2050 et seq) and Fish and Game Code Section 1600 et seq. regarding impacts to streams and lakes.

Jurisdictional Drainages - Based upon the description of the project the Department recommends that LACDPW apply for a streambed alteration agreement with the Department as the project will involve installation of temporary sand bags or a temporary coffer dam at the inlet and outlet of the discharge pipes in order to dewater the work area.

Nesting Birds - The proposed project may result in a disturbance to nesting bird habitat from project related activities and therefore has the potential to directly impact native nesting native bird species.

a. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918(50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).

b. Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).

c. If project activities cannot feasible avoid the breeding bird season, the Department recommends that beginning thirty days prior to the disturbance of suitable nesting habitat the project proponent should arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys should be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys should continue on a weekly basis with the last survey being conducted no more than 3 days prior to the

1

initiation of clearance/construction work. If a protected native bird is found, the project proponent should delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing marking the protected area 300 feet (or 500 feet) from the nest. Construction personnel should be instructed on the sensitivity of the area. The project proponent should record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

The project proponent is invited to consult with the Department for further detail on appropriate mitigation measures related to the above recommendations to reduce impacts to biological resources below a significant level under CEPA.

Scott Harris
Environmental Specialists
Department of Fish and Game
626/797-3170

Marina Del Rey Tide Gate Rehabilitation Project IS/MND
County of Los Angeles, Department of Public Works

STATE OF CALIFORNIA — BUSINESS, TRANSPORTATION AND HOUSING AGENCY

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DEPARTMENT OF TRANSPORTATION
DISTRICT 7, REGIONAL PLANNING
IGR/CEQA BRANCH
100 MAIN STREET, MS # 16
LOS ANGELES, CA 90012-3606
PHONE: (213) 897-3747
FAX: (213) 897-4337



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IGR/CEQA No. 070503AL, IS and MND
Marina Del Rey Tide Gate Rehabilitation
Vic. LA-01 / PM 31.78
SCH#: 2007041136

May 4, 2007

Mr. Gil Garcia, Principal Engineer
Project Management Division I
County of Los Angeles Department of Public Works
900 South Fremont Avenue
Alhambra, CA 91803-1331

Dear Mr. Garcia:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project rehabilitate and retrofit an existing serviceable manually-operated tide gate facility by adding improvements to the structure and upgrading the operational equipment.

Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful of your need to discharge clean run-off water.

Any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. We recommend that large size truck trips be limited to off-peak commute periods. Thank you for the opportunity to have reviewed this project.

If you have any questions, please feel free to contact me at (213) 897-3747 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 070503AL.

Sincerely,

CHERYL J. POWELL
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

"Caltrans improves mobility across California"

Marina Del Rey Tide Gate Rehabilitation Project IS/MND
County of Los Angeles, Department of Public Works

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May 15, 2007

Mr. Gil Garcia, Principle Engineer
County of Los Angeles
Department of Public Works
Project Management Division I
900 South Fremont Avenue
Alhambra, CA 91803-1331

Dear Mr. Garcia:

**RE: MARINA TIDE GATE REHABILITATION PROJECT: DRAFT INITIAL STUDY
AND MITIGATED NEGATIVE DECLARATION, COUNTY OF LOS ANGELES**

We have received a draft MND and Initial Study (MND/IS) for a proposed Los Angeles County project. After review of this document, the City of Los Angeles, Bureaus of Engineering (Environmental Management Division) and Sanitation (Environmental Monitoring Division), offer the following comments:

- 1) The MND/IS lacks page numbers beyond the first page. Subsequent references to page numbers are based upon the provided Table of Contents.
- 2) Under Biological Resources, Section 6.4, Environmental Checklist and Discussion, Page 13, the biological resources discussion section should begin with a description of the Ballona Lagoon, being a sensitive habitat and being adjacent to the project site. The topic sentence is a summary of land uses, which has nothing to do with biological resource issues.
- 3) Under Noise, Section 6.11, Environmental Checklist and Discussion, Page 25, the third sentence states, "... potential noise impacts may be significant to nearby residences without mitigation measures." The paragraph concludes with the statement that impacts are considered, "Potentially Significant Unless Mitigation Is Incorporated." The paragraph is vague. Predicted noise levels are not quantified and no thresholds are provided. The text provides no basis for the four, subsequently listed mitigation measures.
- 4) Under Proposed Mitigation Measures, pages 5 and 27, Measure Noise-1 states in the last sentence, "Haul trucks shall be operated in accordance with posted speed limits." Compliance with traffic laws is not a mitigation measure.

AN EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER



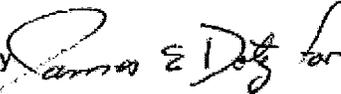
- 5) Under Proposed Mitigation Measures, pages 5 and 27, Measure Noise-4 states in part, "precautions should be taken to not drop heavy items to the ground." Does a standard safety precaution represent mitigation?
- 6) Curtis Cash (Water Biologist III, with the Bureau of Sanitation, Environmental Monitoring Division) commented on the tide gate's operational impact on biological resources and water quality (physico-chemical) parameters.

On many spring (celestially amplified) high tides, City staff has observed that the County closes the tide gates to reduce the potential for residential flooding. Closed gates prevent tidal flushing/exchange, and could potentially result in a radically altered physico-chemical environment, and thus prove detrimental to marine/estuarine biota. In order to reduce any potential adverse impacts to water quality, and subsequently to the marine/estuarine biota, we suggest alteration of the gate's operational parameters (opening/closing frequency and duration) to maintain tidal flushing during construction.

Please contact William Jones in the Environmental Management Division, (213) 485-5760, if you have any questions in this regard.

Sincerely,

GARY LEE MOORE, P.E.
City Engineer

By 

ARA J. KASPARIAN, Ph.D.
Manager

GLM/AK/JD/wjrc-34

Marina Del Rey Tide Gate Rehabilitation Project IS/MND
County of Los Angeles, Department of Public Works



Friday, May 11, 2007

Mr. Gil Garcia, Principal Engineer
Project Management Division I
County of Los Angeles Department of Public Works
900 South Fremont Avenue, 5th Floor
Alhambra, CA 91803-1331
1-828-300-2310
E-Mail: ggarcia@dow.lacounty.gov

Re: Marina del Rey Tide Gate Rehabilitation Project, Marina del Rey, CA
Initial Study and Mitigated Negative Declaration, March 30, 2007

Mr. Garcia,

Thank you for the opportunity to comment on this vital project to the safety and welfare of the residents of the Venice Canals community and the wildlife that inhabits the ecosystem, which these tidal gates maintain.

The "Voice of the Canal" Residents' organization, with almost two hundred members, is please to support this project.

We have reviewed the Initial Study and Mitigated Negative Declaration. The proposed six month project to "rehabilitate, retrofit, and upgrade" the existing manually-operated tide gate is to be completed in a staged and mitigated manner that maintains the flood control function of the gates, and is sensitive to and protects the aquatic wildlife and wetland vegetation.

The Marina tidal gates along with the sluice gates maintained by the City of Los Angeles at Washington Blvd. on the Grand Canal, control the water to the mile and a half of waterways that comprise the Venice Canals. These gates prevent flooding of the canals. In addition, both gates provide ocean water for the twice weekly flushing of our canals, which maintains the quality of the wildlife and recreational opportunities as required by the Coastal Act of 1976.

We look forward to the earliest and successful completion of this project.

Sincerely,

Darryl DuFay, co-president
"Voice of the Canals" Residents' organization
P.O. Box 1692
Venice, CA 90294
310-822-9194
darrylduf@pcbox.com

cc: Councilman Bill Rosendahl, Los Angeles City Council District 11
Mark-Antonio Grant, Field Deputy, Los Angeles City Council District 11

8.0 MITIGATION MONITORING AND REPORTING PROGRAM

Section 21081.6 of the California Public Resources Code (CEQA) requires a Lead Agency to: "adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation." One of the methods allowed by the Public Resources Code to implement this requirement is to: "provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or, in the case of the adoption of a plan, policy, regulation, or other public project, by incorporating the mitigation measures into the plan, policy, regulation, or project design." [Section 21081.6(b)]

The County of Los Angeles, as Lead Agency, has elected to implement the mitigation monitoring requirements of CEQA by incorporating all mitigation measures presented in this IS/MND directly into the project approval as Conditions of Approval. The following table presents each Mitigation Measure identified within this MND.

Marina Del Rey Tide Gate Rehabilitation Project IS/MND
County of Los Angeles, Department of Public Works

Mitigation Monitoring and Reporting Program

POTENTIAL ENVIRONMENTAL IMPACTS	MITIGATION MEASURE	IMPLEMENTING PARTY	MONITORING PARTY	MONITORING FREQUENCY	OUTSIDE AGENCY COORDINATION
<p>BIOLOGICAL RESOURCES</p> <p>The proposed project is located approximately 900-1000 feet from a Least Tern Nesting Ground. Construction impacts include potential temporary displacement of foraging birds in the immediate vicinity of the project site due to construction activities. Project activities may temporarily deter individual terns from utilizing the relatively small project construction area for foraging. This impact would be limited to the period of active tide gate rehabilitation and is not expected to result in any long term or substantial changes in migration or foraging patterns for terns.</p>	<p>BIO-1</p> <p>Should Project activities occur during the nesting season (e.g., March 1 – August 31, but as early as February 1 for some species of raptor), a pre-construction presence/absence survey shall be performed within 1,000 feet of the construction work area. The survey shall be conducted no more than three days prior to the initiation of Project activities. If a protected or nesting bird is found or an active nest is located, all construction activities within 300 feet of passerine nest and within 500 feet of raptor nests shall be postponed until the nest is vacated and juveniles have fledged. Construction limits shall be established in the field to avoid nests and construction personnel shall be instructed on the sensitivity of these areas. The results of this measure shall be recorded to document compliance with applicable state and federal laws pertaining to the protection of nesting birds and raptors. Furthermore, Project activities within the least tern seasonal occupancy period of March 1st through September 15th would be monitored by a qualified biologist and constrained in accordance with the protocol noted above to the maximum extent possible to avoid adverse impacts to terns.</p>	<p>County of Los Angeles</p>	<p>Qualified Biologist</p>	<p>During Construction Activities</p>	<p>City of Los Angeles California Coastal Commission US Army Corps of Engineers California Department of Fish and Game</p>

Marina Del Rey Tide Gate Rehabilitation Project IS/MND
County of Los Angeles, Department of Public Works

POTENTIAL ENVIRONMENTAL IMPACTS	MITIGATION MEASURE	IMPLEMENTING PARTY	MONITORING PARTY	MONITORING FREQUENCY	OUTSIDE AGENCY COORDINATION	
<p>Implementation: Construction /Rehabilitation Phase Monitoring Action: (1) Coordinate permitting with CCC, RWQCB and USACE (2) Qualified biologist shall monitor construction activities (3) Inspect onsite construction activities to ensure the construction contractor implements measures. (4) Complete monitoring log to document measures are being implemented.</p>						
<p>NOISE</p>	<p>Construction activities will result in a temporary increase in current local noise levels and increased traffic from construction vehicles will also generate additional noise during the project construction phase. Sensitive noise receptors are located within 150 feet of the construction area.</p>	<p>NOISE -1 Construction vehicles and other engine-powered equipment will be periodically inspected to ensure proper functionality and will be equipped with required muffling devices to control noise levels.</p>	<p>Contractor</p>	<p>County of Los Angeles</p>	<p>Continuously - During Construction Activities</p>	<p>None</p>
<p>NOISE -2</p>	<p>Limit the hours of construction to the times specified within the County of Los Angeles Noise Ordinance. The ordinance does not allow construction work to occur between weekday hours of 7:00 p.m. and 7:00 a.m., between 6:00 p.m. and 8:00 a.m. on Saturdays, and not at any time on Sundays or national holidays. Additionally, the operation, repair, or servicing of construction equipment and the job-site delivering of construction materials shall be prohibited on Saturdays and Sundays during the aforementioned hours.</p>	<p>Contractor</p>	<p>County of Los Angeles</p>	<p>Continuously - During Construction Activities</p>	<p>None</p>	

POTENTIAL ENVIRONMENTAL IMPACTS	MITIGATION MEASURE	IMPLEMENTING PARTY	MONITORING PARTY	MONITORING FREQUENCY	OUTSIDE AGENCY COORDINATION
	<p>NOISE -3 Construction equipment items (e.g. air compressors, generators, etc.) and material storage areas would be located within the designated work and staging areas, and would be located as far from the residential properties as is reasonably possible. In addition, heavy mobile equipment will be situated as far as reasonably possible from residences.</p>	Contractor	County of Los Angeles	Continuously - During Construction Activities	None
	<p>NOISE -4 Precautions shall be taken to not drop heavy items to the ground.</p>	Contractor	County of Los Angeles	Continuously - During Construction Activities	None
	<p>NOISE -5 In accordance with the County of Los Angeles Noise Ordinance standards, construction activities shall be completed in such a manner that the maximum noise levels at noise sensitive receptors will not exceed 75 dBA daily during the hours of 7:00 a.m. to 8:00 p.m., except Sundays, and 60 dBA daily, during the hours of 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays for any nonscheduled, intermittent, short-term operation (less than 10 days) of mobile equipment.</p>	Contractor	County of Los Angeles	Continuously - During Construction Activities	None

Marina Del Rey Tide Gate Rehabilitation Project IS/MND
County of Los Angeles, Department of Public Works

POTENTIAL ENVIRONMENTAL IMPACTS	MITIGATION MEASURE	IMPLEMENTING PARTY	MONITORING PARTY	MONITORING FREQUENCY	OUTSIDE AGENCY COORDINATION
	<p>NOISE-6 In accordance with the County of Los Angeles Noise Ordinance standards, construction activities shall be completed in such a manner that the maximum noise levels at noise sensitive receptors will not exceed 60 dBA daily during the hours of 7:00 a.m. to 8:00 p.m., except Sundays, and 50dBA daily, during the hours of 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays for any repetitively scheduled and relatively long-term operation (periods of 10 days or more) of stationary equipment.</p>	Contractor	County of Los Angeles	Continuously - During Construction Activities	None
<p>Implementation: Construction / Rehabilitation Phase Monitoring Action: (1) County inspector shall monitor construction activities. (2) Inspect onsite construction activities to ensure the construction contractor implements measures. (3) Ensure appropriate equipment is used and operational timeframes are maintained by contractor.</p>					



Shaded cells represent mitigation measures that have been revised since the circulation of the original IS/MND.

Appendix A – Air Quality Analysis



Date: November 10, 2009

To: Leonard Malo
URS Corporation

From: Tammy Chavez
URS Corporation

Subject: Marina del Rey Tide Gate Rehabilitation Project – Air Quality Analysis

This technical memorandum summarizes the results of the air quality analysis conducted by URS Corporation (URS) to evaluate the potential air quality impacts from the Marina del Rey Tide Gate Rehabilitation Project (Project). The Project will involve the rehabilitation and retrofit of an existing serviceable manually-operated tide gate facility, by adding improvements to the structure and upgrading the operational equipment.

Project Background and Description

The Marina del Rey Tide Gate facility is located adjacent to the coastline in the southern portion of the community of Venice/Marina del Rey and is situated at the south end of the Grand Canal at Via Marina. Via Marina is a two-lane public roadway that provides access to nearby residential homes in the area. Primary land uses in this area are a mosaic of urban medium to high density residential with some light commercial designations and open space.

The Marina del Rey tide gate facility is currently owned and operated by the County of Los Angeles, Department of Beaches and Harbors. The tide gate facility was originally built in 1958 and is operated to prevent flooding of nearby residences, to maintain a consistent water level in the Grand Canal, and to allow for continual tidal exchange with the Marina del Rey Channel. Currently, the tide gate facility is in poor condition and in need of rehabilitation due to the heavy usage and exposure to the corrosive salt air environment over the years.

The rehabilitation of the tide gate facility will include repair of damaged concrete headwalls and corrugated metal pipes, and replacement of corroded metal gate assemblies (including motorized operating equipment) with new gate assemblies and equipment of similar size, type, and nature to the existing structure. The improvements will allow for automated control and remote monitoring of the tide gate facility, as opposed to the current manual operation. No vegetation clearing or earthwork/grading activities are anticipated for execution of the Project. The ground-disturbing activities will be limited to trenching and boring for installation of underground utilities to serve the retrofitted tide gate facility.

The Project site is within the South Coast Air Basin (SCAB) which is located within the South Coast Air Quality Management District's (SCAQMD) jurisdiction. SCAQMD is one of the regulatory agencies responsible for reducing air pollution and attaining the federal and State of California ambient air quality standards. SCAQMD provides guidelines for determining the significance of air quality impacts from the implementation of a proposed project. To determine whether construction and operational emissions associated with a project would create significant air quality impacts, emissions are quantified and

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compared to SCAQMD's criteria pollutant significance thresholds. An exceedance of any threshold would require all feasible mitigation measures to be implemented to reduce emissions to the extent possible or to a level considered less than significant.

This technical memorandum is separated into two sections, Air Quality and Global Climate Change. The Air Quality section of the memorandum compares estimated criteria pollutant emissions from the Project construction and operation to the applicable SCAQMD significance thresholds. The Global Climate Change section compares estimated greenhouse gas (GHG) emissions from the project construction and operation to draft SCAQMD significance thresholds, as there are currently no formally adopted thresholds of significance for GHGs.

AIR QUALITY

Method of Air Quality Impact Assessment

Construction

Short-term construction emissions for six criteria pollutants were quantified and compared to SCAQMD daily construction criteria pollutant regional and localized thresholds to determine the significance of air quality impacts. Construction-related criteria air pollutants regulated by SCAQMD include reactive organic gas (ROG), oxides of nitrogen (NO_x), carbon monoxide (CO), sulfur dioxide (SO₂), inhalable particulate matter (PM₁₀) and fine particulate matter (PM_{2.5}). Since Project-specific information was available for building construction (including equipment lists and trips generated) the emissions associated with construction were estimated by using the off-road and on-road emission factors provided on the SCAQMD website (<http://www.aqmd.gov/ceqa/handbook/offroad/offroad.html>) and based on methodology contained in the SCAQMD CEQA Handbook (<http://aqmd.gov/ceqa/hdbk.html>).

Operation

Long-term operational emissions were quantified and compared to SCAQMD daily operational criteria pollutant thresholds to determine the significance of air quality impacts on a regional level. Operational emissions from the Project are from vehicular emissions from the maintenance trips generated by the Project. Operational emissions were estimated using the SCAQMD emission factors and methodology.

The Project involves the rehabilitation of an existing tide gate. According to localized significance threshold (LST) methodology developed by SCAQMD, mobile source emissions need not be included in LST analysis. Since all operational emissions from the Project are in the form of mobile source emissions from Project-generated maintenance vehicle trips with no stationary sources, no localized operational significance threshold analysis is necessary.

SCAQMD Significance Thresholds

SCAQMD has established criteria pollutant significance thresholds for both construction and operational activities of projects. If construction and/or operational emissions from a proposed project exceed the significance thresholds, then all feasible mitigation measures must be implemented to reduce emissions to the lowest extent possible or to a level considered less than significant. The SCAQMD mass daily

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thresholds of significance are summarized in Table 1, *SCAQMD Mass Daily Thresholds of Significance for CEQA Analysis*.

Table 1, SCAQMD Mass Daily Thresholds of Significance for CEQA Analysis

Pollutant	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
	(lbs/day)	(lbs/day)	(lbs/day)	(lbs/day)	(lbs/day)	(lbs/day)
Construction	75	100	550	150	150	55
Operational	55	55	550	150	150	55

Projects with construction and operational emissions that exceed any of the thresholds listed above are considered to have a significant impact by the SCAQMD.

Findings

Construction Emissions

Construction of the Project will take place in 2010. The first phase of construction will last approximately six to eight weeks, and will address the cleaning and retrofit work for the one northerly discharge pipe while the two remaining discharge pipes remain in operation. The second phase of construction will last approximately eight to twelve weeks and will address the cleaning and retrofit work for the two southerly discharge pipes, while the newly-retrofitted northern discharge pipe is in operation.

Air pollutants would be generated during construction of the Project from various sources such as equipment exhaust and worker's vehicles. The list of construction equipment, hours of equipment operation, and numbers of employees were provided by the Project applicant, and were used to estimate Project construction emissions. Even though it is not likely that all construction equipment will be used at the same time on the same day, in order to ensure a conservative worst-case scenario, emissions were quantified for a peak day of construction activities, which would include the daily emissions of all construction equipment concurrently. The Project's emissions compared to the SCAQMD regional thresholds are summarized in Table 2, *Peak Daily Construction Emissions – Regional Significance* and the emissions calculations can be found in Attachment A, *Calculations for Estimation of Construction Emissions*.

Table 2, Peak Daily Construction Emissions – Regional Significance

Pollutant	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
	(lbs/day)	(lbs/day)	(lbs/day)	(lbs/day)	(lbs/day)	(lbs/day)
SCAQMD Construction Threshold	75	100	550	150	150	55
Peak Day Construction Emissions	7.03	48.88	28.49	0.05	2.89	2.57
Exceeds Threshold?	No	No	No	No	No	No

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The Project's emissions from construction will not exceed the SCAQMD regional thresholds of significance.

The Project's maximum disturbance area is less than one acre per day; therefore the SCAQMD localized thresholds for a one-acre project was utilized. The Project site is located in Source Receptor Area (SRA) No. 2. The nearest sensitive receptors to the Project site are residences adjacent to the Project site, to the east and west; therefore the most stringent thresholds for a distance of 25 meters were utilized. This represents a worst-case analysis of the Project's localized impacts. The Project's emissions compared to the SCAQMD localized thresholds for construction are summarized in Table 3, *Peak Daily Construction Emissions – Localized Significance* the emissions calculations can be found in Attachment B, *Calculations for Estimation of Operational Emissions*.

Table 3, Peak Daily Construction Emissions – Localized Significance

Pollutant	NO _x	CO	PM ₁₀	PM _{2.5}
	(lbs/day)	(lbs/day)	(lbs/day)	(lbs/day)
SCAQMD Construction Threshold	114	554	4	3
Peak Day Construction Emissions	48.88	28.49	2.89	2.57
Exceeds Threshold?	No	No	No	No

The Project's emissions from construction will not exceed the SCAQMD localized thresholds of significance. Therefore, no construction mitigation measures are necessary.

Operational Emissions

The Project is expected to be operational in 2010. Operational emissions are generated by quarterly maintenance vehicles (employee trucks) traveling in and out of the Project area and are considered mobile source emissions. It is anticipated that one maintenance vehicle will travel to the site per quarter (or four per year). In order to ensure a worst-case analysis, the number of daily trips from a maximum of two maintenance vehicles on one day was used to estimate mobile source emissions from a peak operational day. The Project's emissions compared to the SCAQMD regional thresholds for operation are summarized in Table 4, *Peak Daily Operational Emissions – Regional Significance*.

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Table 4, Peak Daily Operational Emissions – Regional Significance

Pollutant	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
	(lbs/day)	(lbs/day)	(lbs/day)	(lbs/day)	(lbs/day)	(lbs/day)
SCAQMD Operational Threshold	55	55	550	150	150	55
Peak Day Operational Emissions	0.17	1.34	1.21	0.00	0.05	0.04
Exceeds Threshold?	No	No	No	No	No	No

The Project's emissions from operation will not exceed the SCAQMD regional thresholds of significance. Therefore, no operational mitigation measures are necessary.

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GLOBAL CLIMATE CHANGE

The Earth's global climate is continuously evolving, as evidenced by extremes in global climate over the last 500,000 years. Global climate change refers to alterations in weather features which occur across the Earth as a whole, such as temperature, wind patterns, precipitation, and storms. Global temperatures are modulated by naturally occurring atmospheric gases – such as water vapor, CO₂, CH₄, and N₂O. These gases allow sunlight into the Earth's atmosphere, but prevent radiative heat from escaping into outer space, thus altering the Earth's energy balance by retaining that heat. This phenomenon is often referred to as the "greenhouse effect" and the gases that trap heat in the atmosphere are commonly referred to as "greenhouse gases" (GHG). GHGs that contribute to global climate change are CO₂, CH₄, N₂O, hydroflourocarbons (HFC), perflourocarbons (PFC), sulfur hexafluoride (SF₆), nitrogen triflouride (NF₃), and hydroflourinated ethers (HFE). GHGs have varying global warming potential (GWP), which is referenced to CO₂. Hence CO₂ has a GWP of 1 while gases like CH₄ (GWP of 21) and N₂O (GWP of 310) have different values. Measurements of GHG emissions are often referred to in the units of CO₂-equivalent (CO₂e), which has factored the individual GWP of each gas emitted into the emissions estimate. The repeated episodes of warming and cooling of the earth's climate have been documented in geologic records. The rate of change has been incremental with warming or cooling trends occurring over thousands of years. Although the past 10,000 years have shown a warming trend, scientists have observed an unprecedented increase in the rate of warming in the last 150 years, which coincides with the industrialization of many countries throughout the world. The most recent report by the Intergovernmental Panel on Climate Change (IPCC) released on February 2, 2007 concludes that the widespread warming of the atmosphere and ocean, together with ice-mass loss, support the conclusion that it is extremely unlikely that global climate change of the past 50 years can be explained without external forces, and very likely that it is not due to known natural causes alone.

State GHG Legislation

The State of California has traditionally been a pioneer in efforts to reduce air pollution, dating back to 1963 when the California New Motor Vehicle Pollution Control Board adopted the nation's first motor vehicle emission standards. Likewise, California has a long history of actions undertaken in response to the threat posed by climate change. Assembly Bill (AB) 1493, signed by California's governor in July 2002, requires passenger vehicles and light duty trucks to achieve maximum feasible reduction of GHG emissions by model year 2009. AB 1493 was enacted based on recognition that passenger cars are significant contributors to the State's GHG emissions. Under the federal Clean Air Act, California is authorized to adopt motor vehicle standards stricter than federal requirements, such as those in AB 1493, if it receives a waiver from the U.S. Environmental Protection Agency (EPA). California applied for a waiver in December, 2005 that was denied by U.S. EPA in December, 2007. California filed a petition with the Ninth Circuit Court of Appeals challenging EPA's denial in January, 2008. California's waiver request has not been granted as of this writing.

On September 27, 2006, AB 32, the California Global Warming Solutions Act of 2006, was enacted by the State of California. The legislature stated that "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." AB 32 caps California's GHG emissions at 1990 levels by 2020. This bill represents the first enforceable Statewide program in the

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United States to cap all GHG emissions from major industries and includes penalties for non-compliance. While acknowledging that national and international actions will be necessary to fully address the issue of global warming, AB 32 lays out a program to inventory and reduce GHG emissions in California and from power generation facilities located outside the State that serve California residents and businesses.

California Senate Bill (SB) 97, passed in August 2007, is designed to work in conjunction with the California Environmental Quality Act (CEQA) and AB 32. CEQA requires the State Office of Planning and Research (OPR) to prepare and develop guidelines for the implementation of CEQA by public agencies. SB 97 requires OPR by July 1, 2009 to prepare, develop, and transmit to the State Resources Agency its proposed guidelines for the feasible mitigation of GHG emissions, as required by CEQA, including, but not limited to, effects associated with transportation or energy consumption. The Resources Agency is required to certify and adopt the guidelines by January 1, 2010, and OPR is required to periodically update the guidelines to incorporate new information or criteria established by the CARB pursuant to AB 32. SB 97 would apply to any proposed or draft environmental impact report, negative declaration, mitigated negative declaration, or other document prepared under CEQA that has not been certified or adopted by the CEQA lead agency as of the effective date of the new guidelines, with certain exemptions. OPR released a technical advisory in June 2008, CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review, which provides interim informal guidance regarding steps lead agencies should take to address climate change in their CEQA documents prior to the certification and adoption of CEQA guidelines for climate change under SB 97.

CARB was tasked with establishing a "scoping" plan for achieving reductions in GHG emissions, and regulations by January 1, 2011 for reducing GHG emissions to achieve the emissions cap by 2020, which rules would take effect no later than 2012. The scoping plan was approved on December 12, 2008. In designing emission reduction measures, CARB aims to minimize costs, maximize benefits, improve and modernize California's energy infrastructure, maintain electric system reliability, maximize additional environmental and economic benefits for California, and complement the State's ongoing efforts to improve air quality.

AB 32 also directed CARB to "recommend a de minimis threshold of GHG emissions below which emissions reduction requirements will not apply" (HSC §38561(e)). In response, CARB released a preliminary draft recommendation for interim CEQA thresholds for GHG emissions on October 24, 2008. The recommendations did not include a numerical threshold for small scale projects such as the proposed project; however, compliance with energy efficiency standards and GHG emission reduction programs, such as LEED and Green Building policies was stressed.

County Policy

In addition to the State regulations, on January 16, 2007, the County of Los Angeles adopted the Energy and Environmental Policy (Policy) as part of the County's efforts to help conserve natural resources and protect the environment. The goal of the Policy is to provide guidelines for the development, implementation, and enhancement of energy conservation and environmental programs. The Policy established an Energy and Environmental Team to coordinate the efforts of various County departments,

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establish a program to integrate sustainable technologies into its Capital Project Program, reduce energy consumption in County facilities by 20 percent by the year 2015, and commit to join the California Climate Action Registry to assist the County in establishing goals for reduction of GHG emissions. The County achieved the latter goal by joining the California Climate Action Registry in 2007. The Policy includes four program areas in order to promote “green” design and operation of County facilities and reduce the County’s “environmental footprint”. The Policy discusses goals and initiatives for each program area, as follows:

Energy and Water Efficiency

- Implementing and monitoring energy and water conservation practices;
- Implementing energy and water efficiency projects; and
- Enhancing employee energy and water conservation awareness through education and promotions;

Environmental Stewardship

- Investigating requirements and preferences for environmentally friendly packaging, greater emphasis on recycled products, and minimum energy efficiency standards for appliances, etc.;
- Placing an emphasis on recycling and landfill volume reduction within County buildings;
- Investigating the use of environmentally friendly products; and
- Supporting environmental initiatives through the investigation of existing resource utilization.

Public Outreach and Education

- Implementing a program which provides County residents with energy related information, including energy and water conservation practices, utility rates and rate changes, rotating power outage information, emergency power outage information, and energy efficiency incentives; and
- Seeking collaboration with local governments, public agencies, and County affiliates to strengthen regional, centralized energy and environmental management resources and identify and develop opportunities for information and cost sharing in energy management and environmental activities.

Sustainable Design

- Enhancing building sustainability through the integration of green, sustainable principles into the planning, design, and construction of County capital projects which:
- Complement the functional objectives of the project;
- Extend the life cycle/useful life of buildings and sites;
- Optimize energy and water use efficiency;
- Improve indoor environmental quality and provide healthy work environments;
- Reduce ongoing building maintenance requirements; and
- Encourage use and reuse of environmentally friendly materials and resources.
- Establishing a management approach that instills and reinforces the integration of sustainable design principles into the core competency skill set of the County’s planner, architects, engineers, and project managers; and

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- Establishing practical performance measures to determine the level of sustainability achieved relative to the objectives targeted for the individual project and overall capital program.

Since the adoption of the Policy, the County has taken steps to ensure compliance with the goals of the Policy and ultimately, AB 32. In order to meet the 20 percent reduction of energy consumption goal, the County has implemented energy efficient projects in County facilities, specifically retrofitting or replacing building lighting systems and air conditioning equipment. Accordingly, annual electrical consumption in County facilities was reduced by 2.31 percent in 2007 and 3.09 percent in 2008; annual gas consumption was reduced by 1.17 percent in 2007 and 1.83 percent in 2008 (LACDPW 2008). Additionally, the Los Angeles County Recycled Water Task Force accomplished the following milestones towards their goal of recommending and implementing the use of recycled water for non-potable purposes to meet the demands of an additional 1.3 million people:

- Established membership in the Water Reuse Association and the Los Angeles County Recycled Water Advisory Committee;
- Secured adoption of an ordinance by the Board naming the Director of Public Works or his designee the lead County official on matters related to recycled water.
- Assisted County Waterworks Districts in drafting revised policies and procedures to require its customers to use recycled water for non-potable, outdoor use.
- Participated in efforts to develop recycled water supplies within the Antelope Valley area of Los Angeles County.
- Prepared a draft 5 signature letter from the Board to the Governor requesting that Caltrans be directed to prepare a master plan for converting its irrigation systems to recycled water.
- Established effective working relationships with all recycled water providers within Los Angeles County.
- Assisted the Department of Parks and Recreation in beginning the capital planning process for converting all of their facilities to recycled water for irrigation purposes by the year 2020.
- Facilitated discussions between the Department of Parks and Recreation (DPR) and West Basin Municipal Water District (WBMWD) to enable delivery of recycled water to DPR facilities in WBMWD service area.
- Initiated development of a County-wide strategic plan in cooperation with the Chief Executive Office for converting all County facilities to recycled water for irrigation.
- Facilitated an agreement between the City of Los Angeles Department of Water and Power, the West Basin MWD, the Water Replenishment District, and Public Works to conduct a study of the Department's Modified Fouling Index standard for water delivered to the seawater barriers to potentially increase the amount of recycled water used for barrier injection.
- Developed County positions on bills pending in the California Assembly or Senate, including AB 1481, SB 201, and AB 2270.

The County has also developed/adopted and implemented tools and policies to support the reduction of GHG emissions, promote "green" development, and provide employees and the public with information and opportunities to reduce their energy consumption. These tools and policies include: the Electronic

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Products Environmental Assessment Tool which identifies and certifies environmentally preferable electronic equipment; the “green building” ordinance, which will lead to all new private development within the unincorporated areas of the County being certified under Leadership in Energy and Environmental Design (LEED) or equivalent standards, and the incorporation of Low Impact Design Standards and draught tolerant landscaping; County sponsored recycling programs, which have distributed 40,000 desk sized paper recycling bins to County employees and require that all County departments purchase paper with a minimum 30 percent recycled content; the Vehicle Purchasing Services Program which provides incentives for County employees, retirees, family members, and contractors/sub-contractors to purchase alternate fuel vehicles; and the Single Use Bag Reduction and Recycling Program which aims to reduce the consumption and disposal of plastic carryout bags in County unincorporated areas and partner cities (LACDPW 2008).

In addition to the achievements discussed above, the County has also committed to achieve several additional goals and standards moving forward. The County has pledged to be a “Cool County” by establishing a GHG emission footprint, developing a GHG mitigation plan, working with local entities to reduce regional GHG 80 percent by 2050, and supporting further legislation to raise Corporate Average Fuel Economy standards. The County plans to install energy saving systems on all vending machines on its properties to reduce operating costs and GHG emissions. The County will also develop a program to allow employees to purchase public transportation passes through a “pre-tax” payroll plan and create a countywide “solar mapping” portal to provide an internet-based resource for residential and commercial building owners to receive information on the viability of installing rooftop solar projects (LACDPW 2008).

Global Climate Change Impact Assessment, Methodology and Findings

There are currently no formally adopted quantifiable emissions thresholds adopted by the lead agency or responsible agency in order to determine the significance of emissions under CEQA. A discussion of approaches to significance thresholds is included in the California Air Pollution Control Officers Association (CAPCOA) document “*CEQA and Climate Change*” (2008). Included in the discussion are proposed interim GHG thresholds, the most stringent of which is a threshold of 900 metric tons (MT) of CO₂e annually, which applies to small scale projects. This threshold applies to residential and commercial projects, including office and non-office projects; this category most closely fits the proposed project, as there are no interim thresholds specific to tide gates or rehabilitation projects.

SCAQMD has also released a draft guidance document regarding interim CEQA GHG significance thresholds in October 2008, “*SCAQMD Interim CEQA GHG Significance Threshold Draft Guidance Document*”. SCAQMD proposed a tiered approach, whereby the level of detail and refinement needed to determine significance increases with a project’s total GHG emissions. SCAQMD also proposed a screening level of 3,000 MT CO₂e per year for commercial or residential projects, under which project impacts are considered “less than significant.” The 3,000 metric ton screening level was intended “to achieve the same policy objective of capturing 90 percent of the GHG emissions from new development projects in the residential/commercial sectors.”

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The CAPCOA 900 MT CO₂e threshold was determined to be the most applicable threshold for the purposes of this analysis. Additionally, the 900 MT CO₂e threshold is also the most stringent. Estimated peak annual Project GHG emissions were compared to this interim threshold in order to determine significance.

Construction

During construction, the Project's GHG emissions are in the form of CO₂ emissions from off-road vehicle exhaust. GHG emissions for carbon dioxide (CO₂) and methane (CH₄) were estimated by using the off-road emission factors provided on the SCAQMD website and based on methodology contained in the SCAQMD CEQA Handbook. GHGs have varying global warming potential (GWP), which is referenced to CO₂. Hence CO₂ has a GWP of 1, while gases like CH₄ (GWP 23) have different values. It is common to see measurements of GHG emissions referred to in the units of CO₂-equivalent (CO₂e), which has factored the individual GHG of each gas emitted into the emissions estimate. CO₂ is the most prevalent of the GHGs generated during typical construction activities; other gases typically add less than 3 percent (CCAR, 2008). Maximum daily CO₂ and CH₄ emissions estimated for Project operation were combined and reported as CO₂e, and compared to the CAPCOA draft GHG threshold of significance for residential/commercial projects, also reported as CO₂e.

The list of construction equipment, hours of equipment operation, and numbers of employees were provided by the Project applicant, and were used to estimate Project construction emissions. Even though it is not likely that all construction equipment will be used at the same time on the same day, in order to ensure a conservative worst-case scenario, emissions were quantified for a peak day of construction activities, which would include the daily emissions of all construction equipment concurrently.

The Project's estimated peak day emissions of CO₂e are 4,893.23 lbs (please refer to Attachment A, *Calculation for Estimation of Construction Emissions*). Since Project construction is expected to last a maximum of 20 weeks (100 working days), the Project's maximum CO₂e emissions for the whole construction period are 489,323 lbs (221.95 MT), which is less than CAPCOA's interim threshold of 900 MT CO₂e.

Operation

During operation, the Project's GHG emissions are from both mobile source emissions from maintenance vehicles and indirect emissions generated by electricity usage from the raising and lowering of the tide gates. GHG emissions from Project operation will be generated by vehicular emissions from maintenance trips, as well as indirectly via electricity utilized to raise and lower each gate twice a day. CO₂ and CH₄ emissions from maintenance trips were estimated using the SCAQMD emission factors and methodology. Indirect CO₂, CH₄ and nitrous oxide (N₂O) emissions from electricity usage were estimated using emission factors and Global Warming Potential values obtained from the California Climate Action Registry's "General Reporting Protocol."

The Project's estimated peak day mobile source emissions of CO₂e are 163.61 lbs (please refer to Attachment B, *Calculations for Estimation of Operational Emissions*). Since maintenance trips are anticipated to occur once a quarter (four times per year), the Project's annual maximum CO₂e emissions

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from mobile sources are 654.44 lbs (0.30 MT). In addition, the Project's annual indirect CO₂e emissions from electricity usage are 42.49 lbs (0.019 MT) (please refer to Attachment C, *Calculations for Estimation of Operational GHG Emissions*). The electricity usage from the Project would be less than the current electricity usage of the manual tide gate. Therefore, the project is anticipated to reduce GHG emissions by 0.0034 MT CO₂e per year from electricity usage. Collectively, from mobile sources and electricity usage, the Project will generate 0.319 MT CO₂e annually, which is less than CAPCOA's interim threshold of 900 MT CO₂e.

Since construction and commencement of operation of the Project would occur during the year 2010, it is necessary to add the construction-related GHG emissions for 2010 to the operation-related GHG emissions to determine the maximum GHG emissions for that year. As such, combined annual construction and operation GHG emissions were determined to be 222.27 MT CO₂e (221.95 MT CO₂e from construction and 0.319 MT CO₂e from operation), which is less than CAPCOA's threshold of 900 MT CO₂e.

Cumulative Impacts

This Project will not generate enough GHG emissions to influence global climate change on its own. The Project participates in this potential impact by its incremental contribution combined with the cumulative increase of all other sources of GHG. As indicated in Section 15064(h)(1) of the State CEQA Guidelines, "cumulatively considerable" is defined to mean "that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." Probable future projects in the Project area include the following:

PLANNED PROJECT		LOCATION
1.	72 dwelling unit apartment, 368 square feet restaurant, 16,352 retail, 7,888 office	Washington Street
2	114 dwelling unit retirement facility, 5,000 square feet retail, 6,000 square feet commercial office	Panay Way
3	544 dwelling unit apartment	Dell Alley & Panay Way
4	940 dwelling unit apartment, 82 du senior apartment, 4,000 square feet retail, 6,000 commercial, 439 sl boat	Via Marina
5	478 dwelling unit apartment, 500 sf retail, 34 sl boat	Fiji Way
6	35 dwelling unit townhouse, 2,000 sf retail, 2,000 sf restaurant	Pacific Avenue & Culver Boulevard
7	111 room hotel	Via Marina
8	132 room hotel, 1,230 seat restaurant, 24,250 square feet retail, 5,200 square feet office, 26 boat slips	Fiji Way
9	Venice Pumping Plant Dual Force Main Project	Venice Beach, Marina del Rey, Dockweiler Beach, & Playa del Rey

As discussed within the *County Policy* section above, CARB's preliminary draft recommendations for the analysis of GHG emissions in CEQA documents stressed project compliance with applicable energy efficiency standards and GHG emission reduction programs. With regards to GHG emissions, the

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applicable air quality plan would be the County Energy and Environmental Policy. The proposed future projects are anticipated to be compliant with the air quality plan and incorporate the energy saving measures described to reduce GHG emissions.

Global climate change is caused by the addition of massive quantities of GHG emissions to the atmosphere due primarily to human activities in the last 150 years from all over the world. For example, about 29 billion metric tons of CO₂ were added to the Earth's atmosphere in 2006 alone (Energy Information Administration 2006). Additionally, AB 32 caps California's GHG emissions at 1990 levels by 2020, which CARB has determined to be 427 million MT per year (CARB 2007). Accordingly, the maximum GHG emissions calculated for the proposed project (222.27 MT CO₂e) would represent 0.00000077 percent of current 2006 yearly global emissions and 0.000052 percent of desired yearly California emissions. If viewed apart from the GHG emissions produced by activities elsewhere in the world, the mass of GHG emissions generated by the construction and operation of an individual project such as the proposed project would be so minute that the concentration of GHG emissions in the atmosphere would essentially remain the same. Additionally, the project's GHG emissions from construction and operation are below CAPCOA's interim threshold of significance. Therefore, the Project's cumulative impacts on global climate change are considered less than significant.

Effects of Global Climate Change on the Project

A substantial change in the global climate is anticipated to result in potential increases, globally, regionally, and/or locally, in the frequency and intensity of forest/wildland fires, rising sea levels and increased flooding, and decreasing water availability. The anticipated impact of each of these on the project is discussed below.

The tide gate is located within a suburban environment, adjacent to the coastline; thus, wildfires are not expected to threaten the project directly. There are no heavily forested areas surrounding the project site. Additionally, California Public Resources Code 4291 requires property owners to maintain appropriate firebreaks. Thus, impacts associated with climate change-induced wildland fires are considered to be minimal.

Climate change-induced flooding may occur from either a permanent rise in sea levels or temporary or seasonal rise in surface water. Marina del Rey is located adjacent to the Pacific Ocean, at an elevation of approximately 10 feet above mean sea level. According to the California Climate Change Center's March 2009 draft paper, "The Impacts of Sea Level Rise on the California Coast," under medium to medium-high emissions scenarios the "mean sea level along the California coast will rise from 1.0 to 1.4 meters (3.28 to 4.59 feet) by the year 2100." The tide gate is designed to control flooding by closing during incoming (flood) tides to prevent tidal waters from moving upland. Therefore, risks to the proposed project from climate change-induced flooding are assumed to be minimal.

Continued operation of the tide gate would not be affected by potential impacts from climate change-induced water shortages.

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Conclusion

The Project's emissions from short-term construction and long-term operation do not exceed the applicable SCAQMD regional or localized thresholds of significance; therefore the impacts to air quality are considered less than significant and no mitigation measures are necessary. Additionally, the Project's GHG emissions from construction and operation do not exceed the interim thresholds proposed by CAPCOA; therefore the impacts to GHGs relating to global climate change are considered less than significant on both a project and cumulative level.

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CEQA Checklist Questions

Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

The Air Quality Management Plan (AQMP) for the South Coast Air Basin (SCAB) sets forth a comprehensive program that would lead the SCAB into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for future development projects is determined by demonstrating compliance with local land use plans and/or population projections.

The Project area is designated Conservation and Open Space under the Los Angeles County General Plan. The Project involves rehabilitation of an existing tide gate, which is consistent with the current zoning and land use designations of Los Angeles County's General Plan. The rehabilitation of the existing tide gate would not conflict or obstruct the implementation of the AQMP. No land uses are proposed that are different from those anticipated for the property in long range planning. Therefore, the Project is in compliance with the AQMP and impacts would be less than significant (Source: Los Angeles County General Plan and Section 2.0, *Project Description* of this document).

b) Violate any air quality standards or contribute substantially to an existing or projected air quality standard?

The Project is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD has developed thresholds of significance for both regional and localized air quality impacts, which the project must comply with. The short-term construction emissions and long-term operational emissions from the Project are presented in the Air Quality Analysis prepared for the Project by URS Corporation. Maximum daily construction emissions are anticipated to be 7.03 lbs for ROG, 48.88 lbs for NO_x, 28.49 lbs for CO, 0.05 lbs for SO₂, 2.89 lbs for PM₁₀, and 2.57 lbs for PM_{2.5}, which are below all applicable SCAQMD regional significance thresholds. In addition to the regional analysis, the Project's emissions and impacts on a localized scale were also analyzed. The Project's emissions of CO, NO_x, PM₁₀, and PM_{2.5} do not exceed the applicable SCAQMD localized significance thresholds. Therefore, short-term emissions from Project construction would not violate any air quality standards and would be less than significant on both a regional and localized level.

The maximum daily operational emissions are anticipated to be 0.17 lbs for ROG, 1.34 lbs for NO_x, 1.21 lbs for CO, 0.00 lbs for SO₂, 0.05 lbs for PM₁₀, and 0.04 lbs for PM_{2.5}. Emissions of all criteria pollutants are below the SCAQMD regional thresholds. Since all operational emissions from the Project will be in the form of mobile source emissions from Project-generated maintenance vehicle trips with no stationary sources, no localized operational significance threshold analysis is necessary.

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Therefore, long-term emissions from project operation would not violate any air quality standards and would be less than significant on both a regional and localized level.

- c) **Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?**

Criteria Pollutants

The portion of the South Coast Air Basin within which the Project is located is designated as a non-attainment area for ozone and PM₁₀ under state standards, and as a non-attainment area for ozone, carbon monoxide, PM₁₀, and PM_{2.5} under federal standards.

In evaluating the cumulative effects of the Project, Section 21100(e) of CEQA states that “previously approved land use documents including, but not limited to, general plans, specific plans, and local coastal plans, may be used in cumulative impact analysis.” In addressing cumulative effects for air quality, the AQMP utilizes approved general plans and, therefore, is the most appropriate document to use to evaluate cumulative impacts of the project. This is because the AQMP evaluated air quality emissions for the entire South Coast Air Basin using a future development scenario based on population projections and set forth a comprehensive program that would lead the region, including the Project site, into compliance with all federal and state air quality standards. The Project is in compliance with the AQMP (see response to item (a) above), Project emissions are below all applicable SCAQMD established regional and localized thresholds of significance and are considered less than significant; therefore, the Project’s cumulative impact to air quality would be less than significant.

Global Climate Change

On September 27, 2006, AB 32, the California Global Warming Solutions Act of 2006, was enacted by the State of California. The legislature stated that “global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California.” AB 32 caps California’s GHG emissions at 1990 levels by 2020. This bill represents the first enforceable Statewide program in the United States to cap all GHG emissions from major industries and include penalties for non-compliance. While acknowledging that national and international actions will be necessary to fully address the issue of global warming, AB 32 lays out a program to inventory and reduce GHG emissions in California and from power generation facilities located outside the State that serve California residents and businesses.

To date, no federal, State, or Project area specific local agencies have finalized thresholds against which a proposed project such as the Marina del Rey Tide Gate Rehabilitation Project must be evaluated to assist lead agencies in determining whether or not the project impacts are significant with respect to GHG and to determine the extent of the Project’s impacts to global climate change. A discussion of approaches to potential significance thresholds is included in the 2008 California Air Pollution Control Officers Association (CAPCOA) document “CEQA and Climate Change.”

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Included in the discussion are proposed interim GHG thresholds, the most stringent of which is a threshold of 900 metric tons (MT) of carbon dioxide equivalents (CO₂e) annually, which applies to small scale projects. This threshold applies to residential and commercial projects, including office and non-office projects; this category most closely fits the proposed project, as there are no interim thresholds specific to tide gates or rehabilitation projects. Accordingly, the 900 MT CO₂e threshold was determined to be the most applicable threshold for the purposes of this analysis. Additionally, the 900 MT CO₂e threshold is not only the most applicable, it is also the most stringent.

During construction, the Project's GHG emissions will be primarily in the form of CO₂ emissions from off-road construction equipment exhaust. According to the Air Quality Analysis contained in Appendix A, *Air Quality Analysis*, of this document the Project's maximum CO₂e emissions for the entire construction period will be 221.95 MT, which is less than CAPCOA's interim threshold of 900 MT CO₂e. During operation, the Project's GHG emissions will be from both mobile source emissions from periodic maintenance vehicles and indirect emissions generated by electricity usage from the raising and lowering of the tide gates. The Project's total maximum annual CO₂e emissions from operation are 0.319 MT, which is less than CAPCOA's interim threshold of 900 MT CO₂e. Accordingly, the Project would not exceed the interim quantitative thresholds for GHGs and the impacts to global climate change would be less than significant.

Global climate change is caused by the addition of massive quantities of GHG emissions to the atmosphere due primarily to human activities in the last 150 years from all over the world. For example, about 29 billion metric tons of CO₂ were added to the Earth's atmosphere in 2006 alone (Energy Information Administration 2006). Additionally, AB 32 caps California's GHG emissions at 1990 levels by 2020, which CARB has determined to be 427 million MT per year (CARB 2007). Accordingly, the maximum GHG emissions calculated for the proposed project (222.27 MT CO₂e) would represent 0.0000077 percent of current 2006 yearly global emissions and 0.000052 percent of desired yearly California emissions. If viewed apart from the GHG emissions produced by activities elsewhere in the world, the mass of GHG emissions generated by the construction and operation of an individual project such as the proposed project would be so minute that the concentration of GHG emissions in the atmosphere would essentially remain the same. Additionally, the project's GHG emissions from construction and operation are below CAPCOA's interim threshold of significance. Therefore, the Project's cumulative impacts on global climate change are considered less than significant.

d) Expose sensitive receptors to substantial pollutant concentrations?

The nearest sensitive receptors (i.e., residences) are located east and west, adjacent to the Project, within 150 feet. However, construction emissions from the Project are anticipated to be less than the applicable SCAQMD thresholds of significance on both the regional and localized level. Additionally, emissions from operation are considered less than significant. Therefore, the Project would not expose sensitive receptors to substantial pollutant concentrations and the impact would be less than significant.

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e) Create objectionable odors affecting a substantial number of people?

The Project does not propose land uses typically associated with emitting objectionable odors (i.e. wastewater treatment plants, chemical plants, composting operations, refineries, landfills and dairies). Potential odor sources associated with the Project may result from equipment exhaust during construction activities. These emissions would be temporary, short-term and intermittent in nature, and would cease upon completion of construction. Because odors would be temporary and would disperse rapidly with distance from the source, construction-generated odors would not result in the frequent exposure of nearby receptors to objectionable odorous emissions. No odors are anticipated during Project operation. Additionally, the Project would be required to comply with SCAQMD Rule 402, which does not allow discharge of such quantities of air contaminants or other material so as to be a public nuisance or detriment. Accordingly, odors associated with construction and operation of the Project would be less than significant.

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Marina del Rey Tide Gate Rehabilitation Project
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8. South Coast Air Quality Management District, *SCAQMD Air Quality Significance Thresholds*, April 2008. <http://www.aqmd.gov/ceqa/hdbk.html>

Attachment A:
Calculations for Estimation of Construction Emissions

**Maximum Daily Emissions from Project Construction
Marina del Rey Tide Gate Rehabilitation Project, County of Los Angeles**

Source [1]	Parameter 1		Parameter 2		Parameter 3		VOC		NOx		CO		SOx		PM10		PM2.5 [5]		CO ₂		CH ₄		Notes										
	Emission Factor	Unit																															
CONSTRUCTION EQUIPMENT:																																	
Air Compressor	0.118	unit	0.71	unit	0.766	unit	4.60	unit	0.370	unit	2.22	unit	0.0007	unit	0.00	unit	0.0547	unit	0.33	unit	0.29	unit	63.600	unit	0.011	unit	381.60	unit	0.06	unit	[2]		
Backhoe	0.111	unit	0.67	unit	0.723	unit	4.34	unit	0.399	unit	2.40	unit	0.0008	unit	0.00	unit	0.0559	unit	0.34	unit	0.30	unit	66.900	unit	0.100	unit	400.80	unit	0.60	unit	[2]		
Concrete Pump	0.099	unit	0.59	unit	0.578	unit	3.47	unit	0.315	unit	1.89	unit	0.0006	unit	0.00	unit	0.0410	unit	0.25	unit	0.22	unit	49.600	unit	0.089	unit	297.60	unit	0.53	unit	[2]		
Concrete Vibrator	0.011	unit	0.09	unit	0.063	unit	0.50	unit	0.044	unit	0.35	unit	0.0001	unit	0.00	unit	0.0040	unit	0.03	unit	0.03	unit	7.200	unit	0.001	unit	57.60	unit	0.01	unit	[2]		
Concrete Breaker	0.136	unit	0.82	unit	0.434	unit	2.60	unit	0.691	unit	4.14	unit	0.0007	unit	0.00	unit	0.0581	unit	0.35	unit	0.31	unit	58.500	unit	0.012	unit	351.00	unit	0.07	unit	[2]		
Truck Crane	0.168	unit	1.01	unit	1.529	unit	9.18	unit	0.571	unit	3.42	unit	0.0014	unit	0.01	unit	0.0678	unit	0.41	unit	0.36	unit	129.000	unit	0.015	unit	774.00	unit	0.09	unit	[2]		
Generator	0.102	unit	0.82	unit	0.672	unit	5.37	unit	0.338	unit	2.70	unit	0.0007	unit	0.01	unit	0.0414	unit	0.33	unit	0.29	unit	61.000	unit	0.009	unit	488.00	unit	0.07	unit	[2]		
Water Pump	0.099	unit	0.59	unit	0.578	unit	3.47	unit	0.315	unit	1.89	unit	0.0006	unit	0.00	unit	0.0410	unit	0.25	unit	0.22	unit	49.600	unit	0.089	unit	297.60	unit	0.53	unit	[2]		
Other Construction Equipment	0.113	unit	0.90	unit	1.081	unit	8.65	unit	0.429	unit	3.43	unit	0.0013	unit	0.01	unit	0.0471	unit	0.38	unit	0.34	unit	123.000	unit	0.010	unit	984.00	unit	0.08	unit	[2]		
Pickup Truck	0.003	unit	0.84	unit	0.022	unit	6.71	unit	0.020	unit	6.05	unit	0.0000	unit	0.01	unit	0.0008	unit	0.24	unit	0.22	unit	2.72330	unit	0.00014	unit	816.99	unit	0.04	unit	[3]		
Daily Maximum			7.03		48.88		100.00		28.49		550.00		0.05		2.89		2.57		4,849.19		2.10												
SCAQMD Regional Significance Thresholds																																	
			75.00		100.00		150.00		550.00		150.00		55.00		N/A		55.00		N/A		N/A												
SCAQMD Localized Significance Thresholds, SRA #2																																	
			N/A		114.00		N/A		554.00		N/A		3.00		N/A		4.00		N/A		N/A												
Exceeds Thresholds? (Yes/No)																																	
			No																														

NOTES:

- [1] Hours of operation and number of employees were provided by the project applicant. A list of potential equipment was provided by the project applicant; as a worst-case peak-day analysis, all potential equipment was assumed to run concurrently, on any given day, to represent maximum daily emissions from project construction.
- [2] Construction equipment composite emission factors were derived from SCAQMD web site - <http://www.aqmd.gov/ceqa/handbook/offroad/offroad.html> for year 2009. 2009 emission factors represent a conservative emissions estimate from construction equipment.
- [3] Emission factors for on-road vehicles are derived from SCAQMD's web page - <http://www.aqmd.gov/ceqa/hdbk.html> for year 2009. 2009 emission factors represent a conservative emissions estimate from on-road vehicles.
- [4] PM2.5 emissions were estimated using SCAQMD's Final Methodology to Calculate Particulate Matter (PM) 2.5 and PM 2.5 Significance Thresholds, October 2006. For construction emissions, it is assumed that the PM2.5 fraction of the total PM10 was assumed to be 0.89.

4,849.19 lbs of CO₂ + (2.10 lbs of CH₄ x 21 GWP) = 4,893.23 lbs of CO₂e

Attachment B:
Calculations for Estimation of Operational Emissions
from Quarterly Maintenance Trips

**Maximum Daily Emissions from Project Operation
Quarterly Maintenance Trips
Marina del Rey Tide Gate Rehabilitation Project, County of Los Angeles**

Source [1]	Parameter 1	Parameter 2	Parameter 3	Criteria Pollutants							Greenhouse Gases			Notes			
				VOC	NOx	SOx	CO	PM10	PM2.5 [3]	CO ₂	CH ₄						
				Emission Factor (lbs/day)	Emission Factor (lbs/mile)	Emission (lbs/day)	Emission Factor (lbs/day)	Emission Factor (lbs/mile)	Emission (lbs/day)	Emission Factor (lbs/day)	Emission Factor (lbs/mile)	Emission (lbs/day)	Emission Factor (lbs/mile)	Emission (lbs/day)	Emission Factor (lbs/mile)		
OPERATIONAL EQUIPMENT:																	
Employee Pickup Truck	15 miles/trip	2 trips/day	2 unit	0.003 lbs/mile	0.022 lbs/mile	1.34	0.020 lbs/mile	1.21	0.000 lbs/mile	0.00	0.0008 lbs/mile	0.05	0.04	2,72330 lbs/mile	0.00014 lbs/mile	0.01	[2]
Daily Maximum				0.17	1.34	1.21	0.17	1.21	0.00	0.00	0.05	0.04	163.40	163.40	0.01		
SCAQMD Regional Significance Thresholds				55.00	55.00	550.00	55.00	550.00	150.00	150.00	150.00	55.00	55.00	N/A	N/A	N/A	
SCAQMD Localized Significance Thresholds, SRA #2				N/A	114.00	554.00	N/A	554.00	N/A	N/A	1.00	1.00	1.00	N/A	N/A	N/A	
Exceeds Thresholds? (Yes/No)				No	No	No	No	No	No	No	No	No	No	No	No	No	

NOTES:

- [1] Employee maintenance schedule and traveling distance were provided by the project applicant.
 - [2] Emission factors for on-road vehicles are derived from SCAQMD's web page - <http://www.aqmd.gov/ceqa/hdbk.html> for year 2009. 2009 emission factors represent a conservative emissions estimate from on-road vehicles.
 - [3] PM2.5 emissions were estimated using SCAQMD's Final Methodology to Calculate Particulate Matter (PM) 2.5 and PM 2.5 Significance Thresholds, October 2006.
- For construction emissions, it is assumed that the PM2.5 fraction of the total PM10 was assumed to be 0.89.
163.40 lbs of CO₂ + (0.01 lbs of CH₄ x 21 GWP) = 163.61 lbs of CO₂e

Attachment C:
Calculations for Estimation of Operational GHG Emissions
from Electricity Usage

**Greenhouse Gas (GHG) Emissions from Project Operation
Marina del Rey Tide Gate Rehabilitation Project, County of Los Angeles**

Existing (Manual Gate) Indirect GHG Emissions from Annual Electricity Usage

	CO ₂	CH ₄	N ₂ O
Electricity Emission Rate (lbs/MWh) ¹	878.71	0.0067	0.0037
Global Warming Potential ²	1	21	310
Annual Electricity Usage (kWh) ³	56.78	56.78	56.78
Annual Electricity Usage (MWh)	0	0	0
Annual Emissions (lbs)	49.8932	0.0004	0.0002
Annual Emissions (lbs CO ₂ e)	49.8932	0.0080	0.0651
Annual Total (lbs CO₂ e)	49.9663		
Annual Total (MT CO ₂ e)	0.0226	0.0000	0.0000
Annual Total (MT CO₂ e)	0.0227		

Proposed (Automated Gate) Indirect GHG Emissions from Electricity Usage

	CO ₂	CH ₄	N ₂ O
Electricity Emission Rate (lbs/MWh) ³	878.71	0.0067	0.0037
Global Warming Potential ⁴	1	21	310
Annual Electricity Usage (kWh) ⁵	48.28	48.28	48.28
Annual Electricity Usage (MWh)	0	0	0
Annual Emissions (lbs)	42.4241	0.0003	0.0002
Annual Emissions (lbs CO ₂ e) ⁴	42.4241	0.0068	0.0554
Annual Total (lbs CO₂e)	42.4863		
Annual Total (MT CO ₂ e)	0.0192	0.0000	0.0000
Annual Total (MT CO₂e)	0.0193		

Difference between existing GHG emissions and proposed operational GHG emissions from electricity: -0.0034 MT CO₂e per year

Notes:

¹ Electricity emission factors were obtained from the California Climate Action Registry's (CCAR) "General Reporting Protocol" Table C-2.

² Global Warming Potential (GWP) factors were obtained from the California Climate Action Registry's (CCAR) "General Reporting Protocol" Appendix A.

³ Existing and proposed annual electricity usage for Marina del Rey tide gate operation was provided by the Project applicant.

⁴ CO₂ equivalent (CO₂e) is a measure for comparing carbon dioxide with other GHGs, which generally have a higher Global Warming Potential (GWP) based on the amount of those other gases multiplied by the appropriate GWP factor, commonly expressed as metric

lbs: pounds
MT: metric tons
2204.62 lbs = 1 MT
MWh: megawatt hours
kWh: kilowatt hours
1000 kWh = 1 mWh

Appendix B – Noise Analysis



Date: April 8, 2009
To: Leonard Malo
URS Corporation
From: Ted Lindberg
URS Corporation
Subject: Marina Del Rey Tide Gate – Noise Analysis

This technical memorandum summarizes the results of the noise analysis conducted by URS Corporation (URS) to evaluate the potential noise impacts from the Marina Del Rey Tide Gate – Noise Analysis (Project).

1.0 Introduction

The Marina del Rey Tide Gate facility is located adjacent to the coastline in the southern portion of the community of Venice/Marina del Rey and is situated at the south end of the Grand Canal at Via Marina. Via Marina is a two-lane public roadway that provides access to nearby residential homes in the area. Primary land uses in this area are a mosaic of urban medium to high density residential with some light commercial designations and open space.

The Marina del Rey tide gate facility is currently owned and operated by the County of Los Angeles, Department of Beaches and Harbors. The tide gate facility was originally built in 1958 and is operated to prevent flooding of nearby residences, to maintain a consistent water level in the Grand Canal, and to allow for continual tidal exchange with the Marina del Rey Channel. Currently, the tide gate facility is in poor condition and in need of rehabilitation due to the heavy usage and exposure to the corrosive salt air environment over the years.

The rehabilitation of the tide gate facility will include repair of damaged concrete headwalls and corrugated metal pipes, and replacement of corroded metal gate assemblies (including motorized operating equipment) with new gate assemblies and equipment of similar size, type, and nature to the existing structure. The improvements will allow for automated control and remote monitoring of the tide gate facility, as opposed to the current manual operation. No vegetation clearing or earthwork/grading activities are anticipated for execution of the Project. The ground-disturbing activities will be limited to trenching and boring for installation of underground utilities to serve the retrofitted tide gate facility.

2.0 Acoustical Definitions

Sound levels are measured on a logarithmic scale in decibels, dB. The universal measure for environmental sound is the “A”-weighted sound level, dBA. “A” scale weighting is a “filter” or adjustment curve applied by the measuring instrument to shape the frequency content of the sound in a manner similar to the way the human ear responds to sounds. “Noise” is defined as unwanted sound.

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MDR Tide Gate
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The residual environmental noise level is the quasi-static noise level that exists in the absence of all identifiable, sporadic, individual noise events such as caused by automobile pass-bys, aircraft flyovers, intermittent dog barking, etc. In most environments this residual level is called the background noise level. The ambient noise environment is composed of the cumulative sum of all noise sources, both near and far, and includes noise from road transportation, fixed and mobile machinery, aircraft, and other sources. The ambient level varies slowly with time as these sources increase or diminish. It has been found that the (measurable) statistical sound level quantity, L90 (in dBA) represents the background sound level. L90 is the level that is exceeded 90 percent of the time during a given interval. Likewise, L50 is the level that is exceeded 50 percent of the time during a given time interval, while L10 is the level that is exceeded 10 percent of the time during a given time interval.

Because ambient environmental noise, by its nature, varies with time, it is beneficial to define certain measurement terms that are used to characterize this fluctuating quantity. The true energy average level over a specific time period is defined as the equivalent level, abbreviated as Leq. Leq is the level over an interval that is equivalent to a perfectly constant level containing the same acoustic energy over the same interval. Hence, Leq provides a measure of the true energy average sound level in an area and includes all sporadic or transient events. Leq is usually measured in hourly intervals over long periods in order to develop 24-hour average noise levels. Leq is generally used to measure noise affecting sensitive receptors where the noise source itself is not of special concern during evening and nighttime hours, or where the noise is only generated during daytime hours such as with construction activities.

Other descriptors of noise are also commonly used to help predict an average community reaction to adverse effects of environmental noise including traffic-generated and industrial noise. Almost all community noise descriptors use units of dBA. Several descriptors are based on the hourly Leq. These descriptors include the Day-Night Average Noise Level (Ldn). The Ldn noise metric represents a 24-hour period and applies a time-weighted factor designed to penalize noise events that occur during non-daytime hours, when relaxation and sleep disturbance is of more concern. In the case of Ldn, noise occurring between 10:00 p.m. to 7:00 am is penalized by adding 10 dB to the measured noise level. Noise occurring during the daytime hours between 7:00 am and 10:00 p.m. receives no penalty. Ldn and related energy-based descriptors such as Leq are the predominant metrics used by local, state and federal government agencies to describe noise environments within their jurisdictions and for planning purposes.

3.0 Laws, Ordinances, Regulations or Standards

The applicable laws, ordinances, regulations or standards (LORS) and noise guidelines are used at the local level for planning purposes. Local noise guidelines are often based on the broader guidelines of state and federal agencies and many are implemented as enforceable noise ordinances.

The Noise Ordinance for the County of Los Angeles established limits on the level of noise as well as the time it occurs in order to protect noise sensitive land uses from intrusive noise. The noise standards applicable to this Project are found in Chapter 12.08 – Noise Control, Part 3 – Community Noise Criteria, Section 390 – Exterior Noise Standards, and these are summarized in Table 1, *County of Los Angeles Noise Ordinance*.

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Table 1
County of Los Angeles Noise Ordinance

Noise Zone	Designated Noise Zone Land Use (Receptor property)	Time Interval	Exterior Noise Level (dBA)
I	Noise-sensitive area	Anytime	45
II	Residential properties	10:00 pm to 7:00 am (nighttime)	45
		7:00 am to 10:00 pm (daytime)	50
III	Commercial properties	10:00 pm to 7:00 am (nighttime)	55
		7:00 am to 10:00 pm (daytime)	60
IV	Industrial properties	Anytime	70

4.0 Project Related Noise

The Project is located at the south end of the Grand Canal at Via Marina which is lined on both sides with existing single family residences. According to the noise levels listed within the Noise Ordinance, the allowable noise levels for residential land use are 50 dBA during daytime hours (7:00 a.m. to 10:00 p.m.) and 45 dBA during nighttime hours (10:00 p.m. to 7:00 a.m.). It is expected that the motorized gate assemblies will be operated at any time during the day or night based on historical operation; therefore, the most restrictive noise standard level is 45 dBA. This is the noise standard which will be applied to this Project.

The Project calls for the installation of two (2) electric motors to control two new gate assemblies which will control the level of water allowed to flow into the Grand Canal from the Marina Del Rey inlet. The specific motors specified in the mechanical plans for the Project are the Limitorque L120-85 motors with 40 ft-lbs of torque and operate at 1,700 rpm. A review of the technical specifications for this specific motor did not yield any product specific source noise level data. A search of similarly specified motors (1,800 rpm and less than 1kW of power output) yielded a noise level of 71 dBA at a distance of 1 meter from the unit. The new motors will be located approximately 115 feet from the nearest home to the west, and approximately 143 feet from the nearest home to the east.

The noise from the two motors was calculated at the two nearest homes adjacent to the motors. The projected noise level at the nearest home to the west from the two motors was calculated to be 42.5 dBA. The projected noise level at the nearest home to the east from the two motors was calculated to be 40.8 dBA. The unmitigated noise level from the Project is expected to be less than the 45 dBA nighttime noise standard at the homes closest to the Project; therefore, there will be noise related impacts due to operations of the project.

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MDR Tide Gate
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5.0 Construction Noise

The construction noise standards applicable to this project are found in Chapter 12.08 – Noise Control, Part 3 – Community Noise Criteria, Section 440 – Construction Noise, and these are summarized below.

12.08.440 Construction noise.

A. Operating or causing the operation of any tools or equipment used in construction, drilling, repair, alteration or demolition work between weekday hours of 7:00 p.m. and 7:00 a.m., or at any time on Sundays or holidays, such that the sound there from creates a noise disturbance across a residential or commercial real-property line, except for emergency work of public service utilities or by variance issued by the health officer is prohibited.

B. Noise Restrictions at Affected Structures. The contractor shall conduct construction activities in such a manner that the maximum noise levels at the affected buildings will not exceed those listed in the following schedule:

1. At Residential Structures.

a. Mobile Equipment. Maximum noise levels for nonscheduled, intermittent, short-term operation (less than 10 days) of mobile equipment:

*Single-family Residential Multi-family Residential Semiresidential/ Commercial
Daily, except Sundays and legal holidays, 7:00 a.m. to 8:00 p.m. 75dBA 80dBA 85dBA
Daily, 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays 60dBA 64dBA 70dBA*

b. Stationary Equipment. Maximum noise level for repetitively scheduled and relatively long-term operation (periods of 10 days or more) of stationary equipment:

*Single-family Residential Multi-family Residential Semiresidential/ Commercial
Daily, except Sundays and legal holidays, 7:00 a.m. to 8:00 p.m. 60dBA 65dBA 70dBA
Daily, 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays 50dBA 55dBA 60dBA*

6.0 Noise Mitigation Measures

In order to minimize the potential noise impacts to the nearest noise sensitive receivers during the period of construction, the following measures are recommended.

NOI-1: Construction vehicles and other engine-powered equipment will be periodically inspected to ensure proper functionality and will be equipped with required muffling devices to control noise levels.

Noise Analysis
MDR Tide Gate
Page 5

- NOI-2:** Limit the hours of construction to the times specified within the County of Los Angeles Noise Ordinance. The ordinance does not allow construction work to occur between weekday hours of 7:00 p.m. and 7:00 a.m., between 6:00 p.m. and 8:00 a.m. on Saturdays, and not at any time on Sundays or national holidays. Additionally, the operation, repair, or servicing of construction equipment and the job-site delivering of construction materials shall be prohibited on Saturdays and Sundays during the aforementioned hours.
- NOI-3:** Construction equipment items (e.g. air compressors, generators, etc.) and material storage areas would be located within the designated work and staging areas, and would be located as far from the residential properties as is reasonably possible. In addition, heavy mobile equipment will be situated as far as reasonably possible from residences.
- NOI-4:** Precautions shall be taken to not drop heavy items to the ground.
- NOI-5:** In accordance with the County of Los Angeles Noise Ordinance Standards, construction activities shall be completed in such a manner that the maximum noise levels at noise sensitive receivers will not exceed 75 dBA daily during the hours of 7:00 a.m. to 8:00 p.m., except Sundays, and 60 dBA daily, during the hours of 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays for any nonscheduled, intermittent, short-term operation (less than 10 days) of mobile equipment.
- NOI-6:** In accordance with the County of Los Angeles Noise Ordinance Standards, construction activities shall be completed in such a manner that the maximum noise levels at noise sensitive receivers will not exceed 60 dBA daily during the hours of 7:00 a.m. to 8:00 p.m., except Sundays, and 50dBA daily, during the hours of 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays for any repetitively scheduled and relatively long-term operation (periods of 10 days or more) of stationary equipment.

Noise Analysis
MDR Tide Gate
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7.0 CEQA Checklist Questions

Would the project result in:

- a) **Exposure of persons to or generation of noise level in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

The noise analysis conducted for the Project calculated noise from the operation of the existing tide gate at a distance consistent with the two nearest homes located within 150 feet of the tide gate. The projected noise level at the nearest home west of the tide gate was calculated at 42.5 dBA. The projected noise level at the nearest home to the east of the facility was calculated at 40.8 dBA. As such, the unmitigated noise level from the Project is expected to be less than the 45 dBA night time noise standard (which is more stringent than the County Noise Ordinance day time standard) stated in the County of Los Angeles Noise Ordinance at the homes closest to the Project. Detailed noise analysis, noise standards for Los Angeles County, and evaluation assumptions are provided in the noise analysis. Accordingly, noise-related impacts due to operations of the Project would be less than significant.

- b) **Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?**

The mechanical equipment associated with the Project would operate at a frequency, and would be located at such a distance from the nearest residences, that it is not expected to generate any level of vibration perceivable by people. Therefore, there would be no adverse vibration impacts associated with the operation of the Project.

- c) **A substantial permanent increase in the ambient noise levels in the project vicinity above levels existing without the project?**

The ambient noise level in the Project area was determined to be in excess of 50 dBA due to vehicle traffic on Via Marina, boat traffic in and around the Grand Canal or the Marina del Rey Channel, and air traffic noise from flight operations at LAX, according to the noise analysis. The projected noise level due to operations of the Project are expected to be less than 43 dBA, which would add less than one decibel to the ambient noise level, which is less than audible and includes the current existing tide gate operations. Consequently, there would be no substantial increase in ambient noise levels due to implementation of the Project and therefore there would be no impact.

- d) **A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

Project specific construction activities would involve the use of portable motorized equipment and power tools which would result in a temporary increase in current local noise levels. Increased traffic from construction vehicles would also generate added noise during the construction phase and contribute to temporary or periodic increase in ambient noise levels. However, construction activities would be limited to day light hours between 7:00 a.m. and 7:00 p.m. weekdays, between 8:00 a.m. and 6:00 p.m. on Saturdays, and no construction activities would be allowed on Sundays or on

Noise Analysis
MDR Tide Gate
Page 7

national holidays to further minimize potential noise related impacts. Construction activities completed during the aforementioned timeframes are exempt from the County of Los Angeles Noise Ordinance. Nonetheless, implementation of mitigation measures shall ensure that potential noise impacts are less than significant.

Please also refer to question a) regarding anticipated noise level at nearest sensitive receptor (i.e., residence).

- e) **For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

The Project area is located within two miles of Los Angeles International Airport. However, the rehabilitation of an existing tide gate facility would not increase the exposure of people residing or working in the Project area to additional excessive noise levels as a result of its proximity to the airport. Therefore, there would be no impact.

- f) **For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**

The Project site is not located within the vicinity of any private air strip; therefore, there will be no impact.

Noise Analysis
MDR Tide Gate
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References

1. General Plan. County of Los Angeles, Dept. of City Planning. General Plan. Including community plans and technical elements.
2. County of Los Angeles. County Code.

July 13, 2010

ATTACHMENT C

DEPARTMENT OF PUBLIC WORKS:
MARINA DEL REY TIDEGATE REHABILITATION PROJECT
APPROVE MITIGATED NEGATIVE DECLARATION
ADOPT MITIGATION MONITORING AND REPORTING PROGRAM
APPROVE REVISED PROJECT BUDGET
APPROVE TRANSFER AGREEMENT
CAPITAL PROJECT 88930

TRANSFER AGREEMENT
(See Attachment)

77383

**TIDEGATE TRANSFER AGREEMENT BY AND
BETWEEN THE COUNTY OF LOS ANGELES AND CITY OF LOS ANGELES**

The County of Los Angeles ("COUNTY") and the City of Los Angeles ("CITY") hereby enter into this Tidegate Transfer Agreement ("Agreement") on this 20 day of July, 2010, for the following purposes with reference to the following facts:

- A. COUNTY owns, operates and maintains that certain real property and development commonly known as the Marina del Rey Small Craft Harbor ("Marina") located in the County of Los Angeles, State of California; and
- B. The Marina is surrounded by the territory of CITY, and the northern end of the Marina is adjacent to the CITY neighborhood of Venice; and
- C. The Venice Canals consist of waterways in the CITY that flow to the Pacific Ocean via the Grand Canal and Ballona Lagoon, through a tidegate located in the rock revetted bank bordering the northern side of the entrance channel of the Marina, below Via Marina, at the southern end of the Ballona Lagoon (said tidegate to be hereinafter referred to as "Marina Tidegate" and said revetted bank to be referred to hereinafter as the "Sea Wall"); and
- D. COUNTY currently operates the Marina Tidegate; and
- E. CITY currently operates a tidegate which is located on the Grand Canal, north of the Ballona Lagoon, below Washington Boulevard, in Venice ("Venice Tidegate"); and
- F. The two tidegates control the flow of seawater into and out of the Venice Canals and are currently operated separately by the COUNTY and CITY; and
- G. Operation of the Marina Tidegate does not serve a COUNTY purpose or benefit the Marina;
- H. The Marina Tidegate is in disrepair and the COUNTY is in the process of making needed repairs; and
- I. COUNTY and CITY acknowledge that it would be preferable for one jurisdiction to operate both tidegates to ensure coordinated operation of the tidegates; and

- J. COUNTY holds an easement over a portion of the Ballona Lagoon adjacent to the Marina Tidegate ("Ballona Lagoon Easement") which is not needed for COUNTY purposes, and CITY has constructed improvements within this easement for the public benefit; and
- K. COUNTY and CITY desire to transfer the necessary rights, title and interest in the Marina Tidegate and grant all necessary easements for its continued operation and maintenance from the COUNTY to the CITY in accordance with the terms and conditions of this Agreement, to the mutual benefit of the COUNTY and CITY; and
- L. COUNTY and CITY desire to transfer the necessary rights, title and interest in the Ballona Lagoon Easement from the COUNTY to the CITY in accordance with the terms and conditions of this Agreement, to the mutual benefit of the COUNTY and CITY.

NOW, THEREFORE, in consideration of the mutual promises contained herein, COUNTY and CITY do hereby agree as follows:

1. **MARINA TIDEGATE REPAIR PROJECT**

- A. COUNTY has prepared, and CITY has approved, COUNTY's plans and specifications for repair of the Marina Tidegate (the "Project"), which are attached hereto as Exhibit A and incorporated herein by this reference ("Repair Plans").
- B. COUNTY estimates the cost for completing the Project is Two Million Five Hundred Thousand Dollars (\$2,500,000).
- C. COUNTY shall pay all costs for planning, designing, constructing, and inspecting the Project in accordance with the Repair Plans, including but not limited to the bidding and award of any contract related thereto, contract administration, preparation of environmental and geotechnical studies, architectural and engineering plans and specifications, technical

reports, testing, site remediation, installation of utilities as needed, and the costs of all permits and licenses necessary to complete the Project, prior to transfer of the Marina Tidegate to CITY pursuant to Section 2, below.

- D. COUNTY shall provide the CITY with a complete set of plans and specifications for the Project prior to commencement of construction. Said plans and specifications shall be deemed approved by the CITY unless the CITY, within thirty (30) days after receipt of said plans, notifies the COUNTY, in writing, that it objects to the same and details the reason(s) for the objection(s) and indicates the changes which will have to be made to the plans and specifications to obtain the CITY's approval. COUNTY shall not commence construction until said plans and specifications have been approved by the CITY. CITY's approval of the plans and specifications shall be limited to a determination of conformity with the Repair Plans. CITY's approval of the plans and specifications shall not be unreasonably withheld.
- E. Should CITY desire any material changes to the plans and specifications not in conformity with the Repair Plans that would result in an increase in the total cost of the Project, CITY agrees to pay any such additional cost, and COUNTY shall incorporate such changes in the Project.
- F. COUNTY shall give a written notice to the CITY thirty (30) days prior to the commencement of the Project and make all improvements in accordance with the plans and specifications approved by the CITY. During the construction of the Project, CITY may inspect the work but shall not provide any direction, order or instruction to the COUNTY contractors.
- G. COUNTY shall give a written notice to CITY upon substantial completion of the Project to provide CITY with an opportunity to inspect the improvements for conformity with the plans and specifications approved by CITY. CITY shall inspect the Project within fifteen (15) days of County's written notice and provide COUNTY with written comments identifying items that need to be corrected or completed to bring the Project into conformity with the plans and specifications. CITY shall have

the opportunity to inspect the Project again, upon final completion of the Project. Upon final completion of the Project and inspection by the CITY, CITY shall deliver to COUNTY its written approval of the completed Project, which approval shall not be unreasonably withheld.

- H. COUNTY shall submit to CITY four (4) copies of the "As Built" construction drawings for the improvements upon transfer of the Marina Tidegate, as provided for in Section 2, below.
- I. COUNTY shall submit to the CITY two (2) copies of any operation and maintenance manuals provided by the manufacturer as well as historical operation records for the 90-day testing period described in Section 2.C., below, and records related to the start-up and initial operation and maintenance performed by COUNTY.
- J. COUNTY shall not be obligated to complete the Project according to the plans and specifications approved by the CITY as provided for in this Agreement, if the estimated cost of completion of the Project is more than Two Million Five Hundred Thousand Dollars (\$2,500,000), as agreed to by the parties. In such instance, COUNTY and CITY will seek to mutually agree on acceptable Project modifications achievable within the project budget. If the parties are unable to agree on modifications to bring the Project into conformance with the budget, neither party shall have any further obligations under this Agreement.

2. TRANSFER OF MARINA TIDEGATE

- A. Upon completion of the Project, COUNTY shall notify CITY that the Marina Tidegate is available for inspection and testing.
- B. CITY shall have thirty (30) days after COUNTY notifies CITY that it has completed the Project to inspect the Marina Tidegate for conformity with the plans and specifications approved by CITY, as may have been modified by mutual consent of the CITY and COUNTY. The thirty (30) day

inspection period shall run concurrently with the ninety (90) day testing period described in section 2.C., below.

- C. Upon CITY's inspection and approval of the Marina Tidegate for conformity with the plans and specifications, as may have been modified by mutual consent of the CITY and COUNTY, which approval shall not be unreasonably withheld, COUNTY shall operate and maintain the Project for a testing period of ninety (90) days to check, validate and calibrate the tidegate system operations and shall allow the CITY to observe COUNTY's operations during this period.
- D. Upon COUNTY's certification that the tidegate has operated continuously, without malfunction, for a period of sixty (60) days (which period may run concurrent with the ninety (90) day testing period described in section 2.C, above), COUNTY shall execute and deliver to CITY, and CITY shall accept, the Quitclaim Deed and Easement for the Marina Tidegate (sometimes referred to as "Marina Tidegate Quitclaim and Easement"), attached hereto as Exhibit B, and the Quitclaim of Ballona Lagoon Easement (sometimes referred to as the "Ballona Lagoon Quitclaim"), attached hereto as Exhibit C, both exhibits incorporated herein by this reference.
- E. The Marina Tidegate Quitclaim and Easement shall transfer all of the COUNTY's rights, title and interest in the Marina Tidegate to the CITY and provide the CITY with a non-exclusive easement in, under and through the COUNTY's real property, including the Sea Wall, to operate and maintain the Tidegate in its present location, all as more fully set forth in Exhibit B.
- F. The Ballona Lagoon Quitclaim shall transfer all of the COUNTY's rights, title and interest in the COUNTY's existing easement over Ballona Lagoon to CITY as more fully set forth in Exhibit C.

3. CONSIDERATION

Both CITY and COUNTY mutually agree that the consideration for the real property interests to be transferred by the Marina Tidegate Quitclaim and Easement and Ballona Lagoon Quitclaim (collectively the "Property") shall be: (1) for the CITY, the COUNTY's repair of the Marina Tidegate in conformity the plans and specifications approved by CITY, as may have been modified by mutual consent of the CITY and COUNTY; and (2) for the COUNTY, the CITY's acceptance of ownership and operational and maintenance responsibility for the Marina Tidegate and the Property. Both CITY and COUNTY agree that this transfer shall serve the mutual public interest and mutually benefit each jurisdiction.

4. CONDITION OF PROPERTY

CITY acknowledges that CITY is accepting the Property in an "as is" condition, solely in reliance on CITY's own investigation, and that no representation or warranties of any kind whatsoever, express or implied, have been made by COUNTY, or COUNTY's agents, except as expressly set forth in this Agreement. CITY and its agents, experts or contractors shall have the right to enter upon the Property to inspect its condition. Such inspections may include, but not be limited to, inspections for the presence of contaminated materials, toxic or hazardous substances, and asbestos. COUNTY agrees to cooperate in good faith with CITY's efforts to conduct its investigation of the Property. CITY also acknowledges that it is aware of all zoning regulations, other governmental requirements, site and physical conditions, and all other matters affecting the use and condition of the Property, including but not limited to the Marina Tidegate, and CITY agrees to accept the Property, including the Marina Tidegate, in that condition.

5. **RECORDATION**

Upon receipt of the County-executed Marina Tidegate Quitclaim and Easement and Ballona Lagoon Quitclaim, CITY will promptly attach its certificate of acceptance pursuant to Government Code Section 27281 to each and submit said deeds and certificates to the COUNTY's Department of Beaches and Harbors for recordation.

6. **UTILITIES**

- A. The COUNTY shall be responsible for the installation of utilities as needed for the operation of the Marina Tidegate, as provided for in Section 1.C., above.
- B. Upon transfer of the Property to the CITY, CITY shall be responsible for the cost of maintaining all utilities needed for the operation of the Marina Tidegate and any facilities located within the Ballona Lagoon Easement. CITY shall cooperate with the COUNTY in effectuating the Marina Tidegate's connection to an appropriate power source in the name of the CITY, and CITY shall be solely responsible for the ongoing costs of such power.

7. **OPERATION AND MAINTENANCE OF MARINA TIDEGATE UPON TRANSFER**

Upon transfer of the Property to the CITY, CITY shall be solely responsible for the operation and maintenance of the Marina Tidegate and the Ballona Lagoon Easement, including all costs and expenses associated therewith, and COUNTY shall have no further responsibility for the Marina Tidegate or the Ballona Lagoon Easement.

8. HOLD HARMLESS AND INDEMNIFICATION

CITY shall indemnify, defend and hold harmless COUNTY, and its Special Districts, elected and appointed officers, employees, and agents from and against any and all liability, including but not limited to demands, claims, actions, fees, costs, and expenses (including attorney and expert witness fees), arising from or connected with the acts and/or omissions of either the CITY or the CITY's employees, contractors, agents, representatives, successors or assignees arising from and/or relating to the CITY's ownership and operation of the Property, including but not limited to the Marina Tidegate, on and after the date of transfer of the Property to CITY pursuant to this Agreement.

COUNTY shall indemnify, defend and hold harmless CITY, and its elected and appointed officers, employees, and agents from and against any and all liability, including but not limited to demands, claims, actions, fees, costs, and expenses (including attorney and expert witness fees), arising from or connected with the acts and/or omissions of either the COUNTY or the COUNTY's employees, contractors, agents, representatives, successors or assignees arising from and/or relating to the COUNTY's ownership and operation of the Property, including but not limited to the Marina Tidegate, prior to the date of transfer of the Property to CITY pursuant to this Agreement.

By providing for indemnification by and among the parties hereto as set forth above, it is expressly understood and agreed that the provisions of Government Code Sections 895.2 and 895.6 are not applicable to this Agreement.

9. WARRANTIES

The Project improvements shall be protected under warranty and guarantee for one year from date of transfer of the Property to CITY, and for longer periods of time as may be provided by COUNTY contractors, subcontractors and suppliers, but at no

additional cost to the COUNTY. COUNTY shall assign the benefits of any warranty and guarantee of any contract or subcontract for materials or the construction and installation of the Project to CITY upon transfer of the Property as provided for herein. In the event a contractor, subcontractor or supplier fails to honor its commitment under a warranty or guarantee, COUNTY and CITY shall share equally in the cost of providing an adequate remedy.

10. COMPLIANCE WITH GOVERNMENTAL REGULATIONS

CITY shall promptly and properly observe, comply with and execute all present and future orders, regulations, directions, rules, laws, ordinances and requirements of all governmental authorities having jurisdiction over the Property, arising from the use or occupancy of the Property by CITY. CITY shall have the right to contest or review, at its own expense, any such order, regulation, direction, rule, law, ordinance or requirements, provided that such action does not affect COUNTY's underlying fee title to the property subject to the Marina Tidegate Easement property. CITY hereby agrees to diligently comply with any judicial determination arising from its contest or review when said determination becomes final.

11. CHANGES TO TIDEGATE

Upon transfer of the Marina Tidegate to CITY, and because COUNTY owns the Sea Wall, CITY shall thereafter obtain COUNTY's prior written approval for any material changes to the physical structure of the Marina Tidegate or any replacement tidegate, including its relocation and/or abandonment. The COUNTY's approval shall not be unreasonably withheld and will be presumed if it fails to respond to a written request for such approval from the CITY within sixty (60) days. CITY shall bear all costs associated with any refurbishment, repair, replacement, relocation or abandonment of the Marina Tidegate or any replacement tidegate, including reimbursement of any COUNTY costs incurred as a result of any impacts to the Sea Wall. CITY shall be solely responsible for obtaining all necessary approvals and permits from the appropriate jurisdictional

authorities, including, but not limited to, the California Coastal Commission and the U.S. Army Corps of Engineers, for all such work.

12. GENERAL PROVISIONS

A. Leases and Assignments. CITY shall not lease, assign or otherwise transfer the Marina Tidegate or any portion of the Marina Tidegate Easement without the prior written approval of COUNTY, which approval shall not be unreasonably withheld and will be presumed approved if COUNTY fails to respond to a written request for such approval within ninety (90) days.

B. Notice. Wherever provision is made for the giving of written notice, such notice shall be deemed to have been received if it has been sent by first-class mail, postage prepaid and addressed as follows:

TO CITY:

City of Los Angeles Bureau of Sanitation
1149 South Broadway 9th Floor
Los Angeles, CA 90015-2213
Attn: Director

TO COUNTY:

Los Angeles County Department of Beaches and Harbors
13837 Fiji Way
Marina del Rey, CA 90292
Attn: Director

Notice shall be deemed given five (5) business days after deposit as specified above. Notice of change of address shall be given by written notice in the manner detailed in this Section.

- C. Waiver. No waiver by either party of any breach by the other party of any term, covenant or condition of this Agreement shall be deemed a waiver of any other breach of the same or any other term, covenant or condition of the Agreement.
- D. Negation of Partnership. Nothing in this Agreement shall be construed to render COUNTY in any way or for any purpose a partner, joint venturer, or associate in any relationship with CITY, nor shall this Agreement be construed to authorize either to act as agent for the other unless expressly provided in this Agreement.
- E. Entire Agreement. This writing contains the entire agreement of the parties with respect to the matters contained herein. Any modification or amendment hereto must be in writing and signed by each of the parties hereto. CITY and COUNTY agree to execute such other documents as are required to effectuate the terms of this Agreement.
- F. Law Governing. The interpretation and enforcement of this Agreement shall be governed by the laws of the State of California.
- G. Severability. If any provision or provisions of this Agreement are for any reason adjudged to be unenforceable or invalid, the remainder of the Agreement shall persist and remain in full force and effect.
- H. Covenants. All provisions of this Agreement, whether covenants or conditions, shall be deemed to both covenants and conditions.
- I. Survival of Covenants. The covenants, indemnities, agreements, representations and warranties made herein are intended to survive the recordation of the Marina Tidegate Quitclaim and Easement and the Ballona Lagoon Quitclaim.
- J. Captions. The captions and the section and subsection numbers appearing in this Agreement are inserted only as a matter of convenience and in no way define, limit, construe or describe the scope or intent of such sections of this Agreement nor in any way affect this Agreement.
- K. Interpretation. Unless the context of this Agreement clearly requires otherwise, (i) the plural and singular numbers shall be deemed to include

the other; (ii) the masculine, feminine and neuter genders shall be deemed to include the others; (iii) "or" is not exclusive; and (iv) "includes" and "including" are not limiting.

- L. Binding Effect. The provisions of this Agreement shall be binding upon the parties hereto and their respective successors-in-interest.
- M. No Presumption Re Drafter. The parties acknowledge and agree that the terms and provisions of this Agreement have been negotiated and discussed between the parties and their attorneys, and this Agreement reflects their mutual agreement regarding the same. Because of the nature of such negotiations and discussions, it would be inappropriate to deem any party to be the drafter of this Agreement, and therefore, no presumption for or against its validity or as to any interpretation hereof, based upon the identity of the drafter, shall be applicable in interpreting or enforcing this Agreement.
- N. Assistance of Counsel. Each party hereto either had the assistance of counsel, or had counsel available to it, in the negotiation for, and the execution of, this Agreement, and all related documents.

IN WITNESS WHEREOF, COUNTY has, by order of its Board of Supervisors, caused this Agreement to be executed by the Chair of the Board of Supervisors and attested to by its Executive Officer, and the CITY has, by order of its Board of Public Works caused this Agreement to be executed by the President of the Board of Public Works.

CITY OF LOS ANGELES

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By: _____
Cynthia M. Ruiz, President
Board of Public Works, City of Los Angeles

COUNTY OF LOS ANGELES

By: Gloria Molina
GLORIA MOLINA
Chair, Board of Supervisors

ATTEST:

SACHI A. HAMAI,
Executive Officer of the Board of Supervisors



By: [Signature]
Deputy

APPROVED AS TO FORM:

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN,
County Counsel

CARMEN TRUTANICH,
City Attorney

By: Tom Faughnan / k UH
THOMAS J. FAUGHNAN
Principal Deputy County Counsel

By: _____
DAVID MICHAELSON
Chief Assistant City Attorney

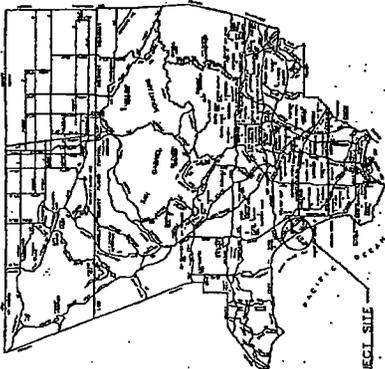
ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

77383

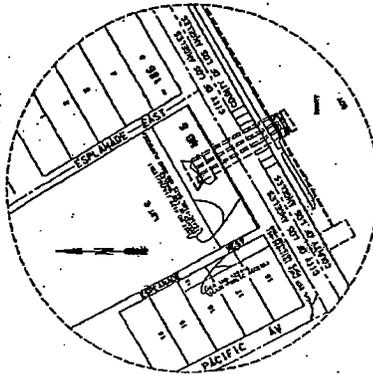
EXHIBIT A
Page 1 of 64

COUNTY OF LOS ANGELES DEPARTMENT OF BEACHES AND HARBORS MARINA DEL REY TIDE GATES REHABILITATION

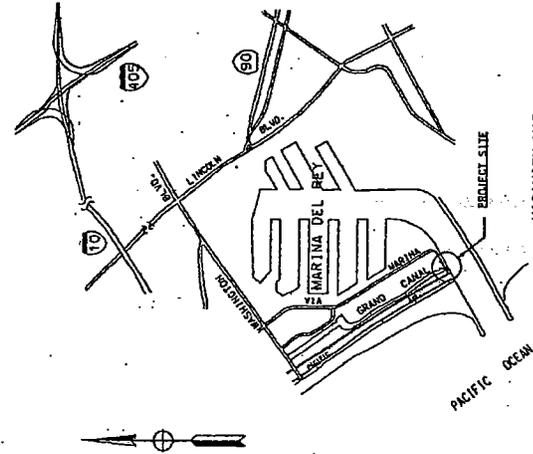


PROJECT SITE
From B. & P., Pg. 101, 23

LOCATION MAP



RIGHT OF WAY MAP
NOT TO SCALE



VICINITY MAP
NOT TO SCALE

INDEX TO PROJECT PLANS

SHEET NO.	DWG. NO.	DESCRIPTION
1		TITLE SHEET
2	H-01	GENERAL PLAN AND EQUIPMENT LIST
3	H-02	EQUIPMENT REMOVAL AND INSTALLATION
4	H-03	SLIDE GATE AND APPURTENANCE INSTALLATION
5	H-04	CATHODE AND LADDER DETAILS
6	S-01	STRUCTURAL PLAN AND OVERLAYS DETAILS
7	S-02	OUTLET WINDMILL AND SLIDE GATE DETAILS
8	S-03	CONCRETE WALL AND TRASH RACK
9	S-04	TRASH RACK DETAILS
10	S-05	CHAIN LINK FENCE DETAILS
11	S-06	STAGE CONSTRUCTION PLAN
12	S-07	TEMPORARY FLAP GATE SUPPORT
13	E-01	GENERAL ELECTRICAL DIAGRAM
14	E-02	GATE MOTOR CONTROL DIAGRAM
15	E-03	MISCELLANEOUS ELECTRICAL DIAGRAM

REFERENCES

SURVEY FIELD NOTES: Elevations shown are in feet based on
 L.A. City 85 MFD 28 ZONE 3
 Existing DMS - Tide Gates Small Boat Harbor,
 Sheet No. 1-3, Date: 8-20-1980

DATE	BY	DESCRIPTION
08/20/2021	ROBERT VEGA	DESIGN

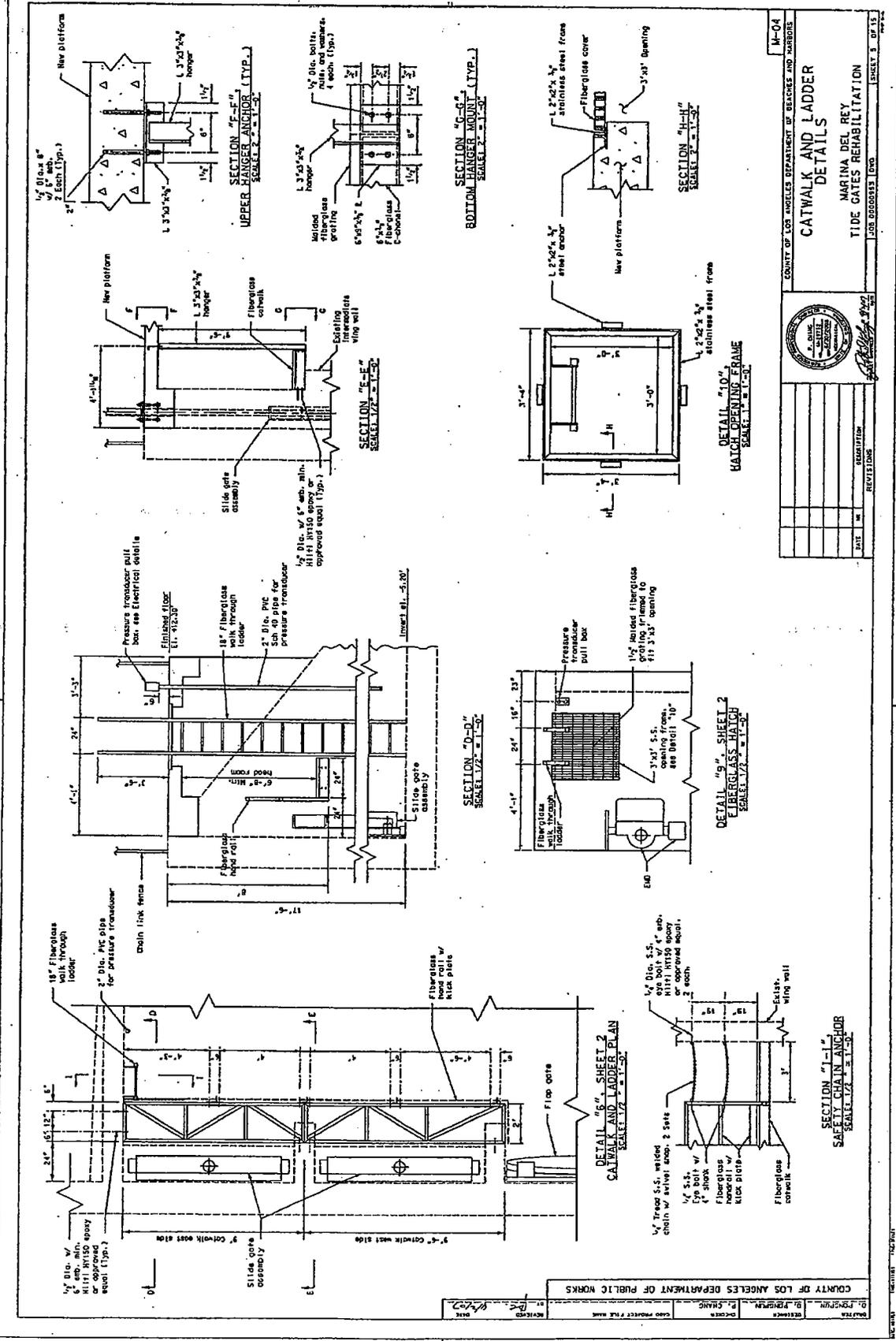
DESIGNED BY: *Robert Vega*
 CHECKED BY: *Robert Vega*
 DATE: 8/20/21

TWO DAYS BEFORE YOU DIG
 CALL USA TOLL FREE
 1-800-227-2600



COUNTY OF LOS ANGELES DEPARTMENT OF BEACHES AND HARBORS
TITLE SHEET
 MARINA DEL REY
 TIDE GATES REHABILITATION
 SHEET 1 OF 15

EXHIBIT A
Page 5 of 64



DATE	BY	DESCRIPTION	REVISIONS

COUNTY OF LOS ANGELES DEPARTMENT OF BEACHES AND MARINAS
M-04
CATWALK AND LADDER
DETAILS
MARINA DEL REY
TIDE GATES REHABILITATION
JOB NO. 0300015100
SHEET 5 OF 15

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
PROJECT NO. 0300015100
JOB PROJECT FILE NAME
DRAWING NO. M-04
DATE
SCALE: 1/2" = 1'-0"

EXHIBIT A
Page 6 of 64

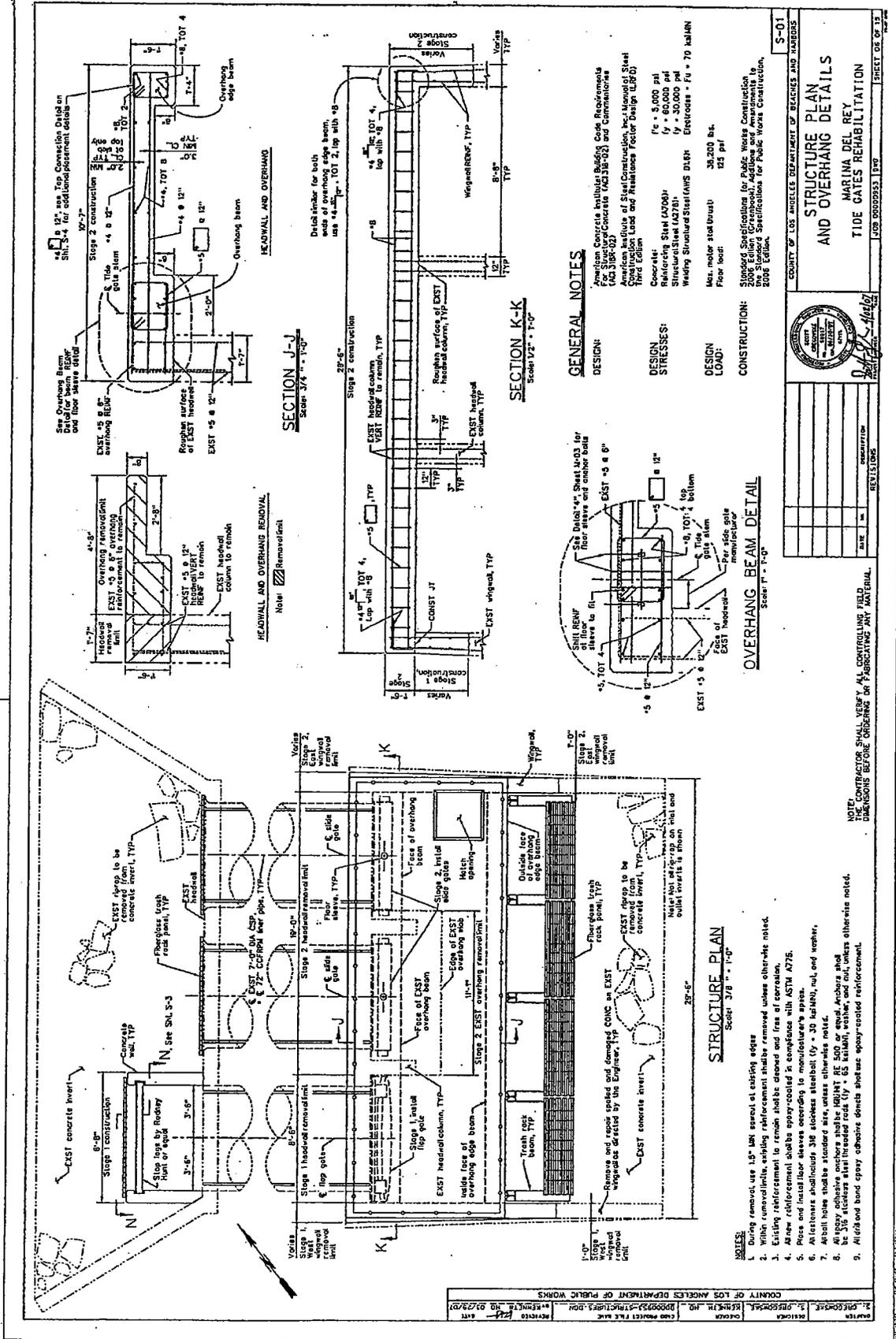


EXHIBIT A
Page 9 of 64

PANEL CONNECTION DETAIL
Scale: 1/2" = 1'

SECTION R-R
Scale: 1/2" = 1'

SECTION Q-Q
Scale: 1/2" = 1'

TRASH RACK BEAM
Scale: 1/2" = 1'-0"

INLET TRASH RACK ANGLE
Scale: 1" = 1'-0"

OUTLET TRASH RACK ANGLE
Scale: 1" = 1'-0"

BOTTOM CONNECTION DETAIL
Scale: 1/4" = 1'

TOP CONNECTION DETAIL
Scale: 1/4" = 1'

TRASH RACK CONNECTION
Scale: 1/2" = 1'

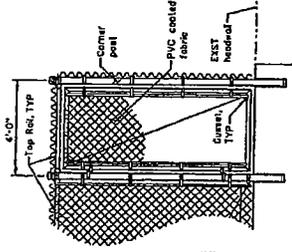
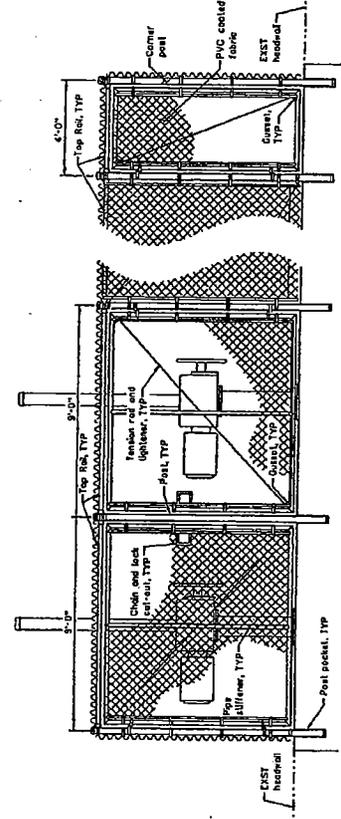
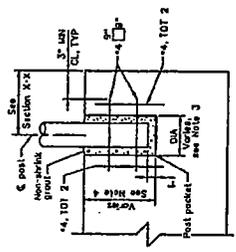
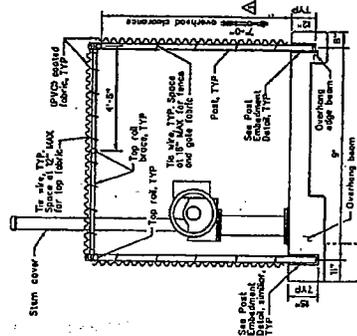
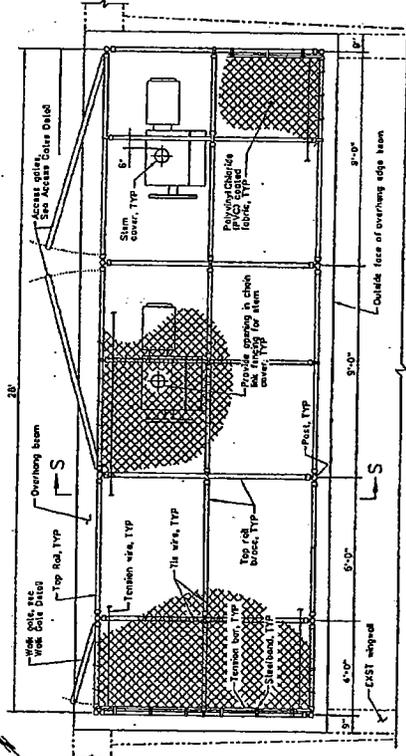
TRASH RACK DETAILS
MARINA DEL REY
TIDE GATES REHABILITATION

COUNTY OF LOS ANGELES DEPARTMENT OF BEACHES AND MARINAS

DATE: 11/11/17
DRAWN BY: J. GARCIA
CHECKED BY: J. GARCIA
SCALE: 1/2" = 1'

PROJECT NO. 150000003 | DWG. SHEET 22 OF 15

EXHIBIT A
Page 10 of 64



- NOTES:
1. Attach the fence and conform to the depth of existing Run 500, except as modified by the Post, and as directed by the Engineer.
 2. Allow for existing, including pipe, fabric, and fillings shall be pay-off.
 3. The diameter of post embedment hole shall be 1" greater than the pipe outside diameter.
 4. The depth of the post embedment hole shall be 12" for depth of the overhanging edge beam.

S-05	
COUNTY OF LOS ANGELES DEPARTMENT OF RECORDS AND MAPS	
CHAIN LINK FENCE DETAILS	
MARINA DEL REY	
TIDE GATES REHABILITATION	
USE UNMODIFIED TERMS	
SHEET 10 OF 11	

NOTE:
THE CONTRACTOR SHALL VERIFY ALL CONTROLLING FIELD
DIMENSIONS BEFORE ORDERING OR FABRICATING ANY MATERIAL.

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
RECORDS SECTION
15555 LAKESHORE BLVD., SUITE 100
CANAAN PARK, CA 91304
TEL: (818) 251-1111 FAX: (818) 251-1111

EXHIBIT A
Page 11 of 64

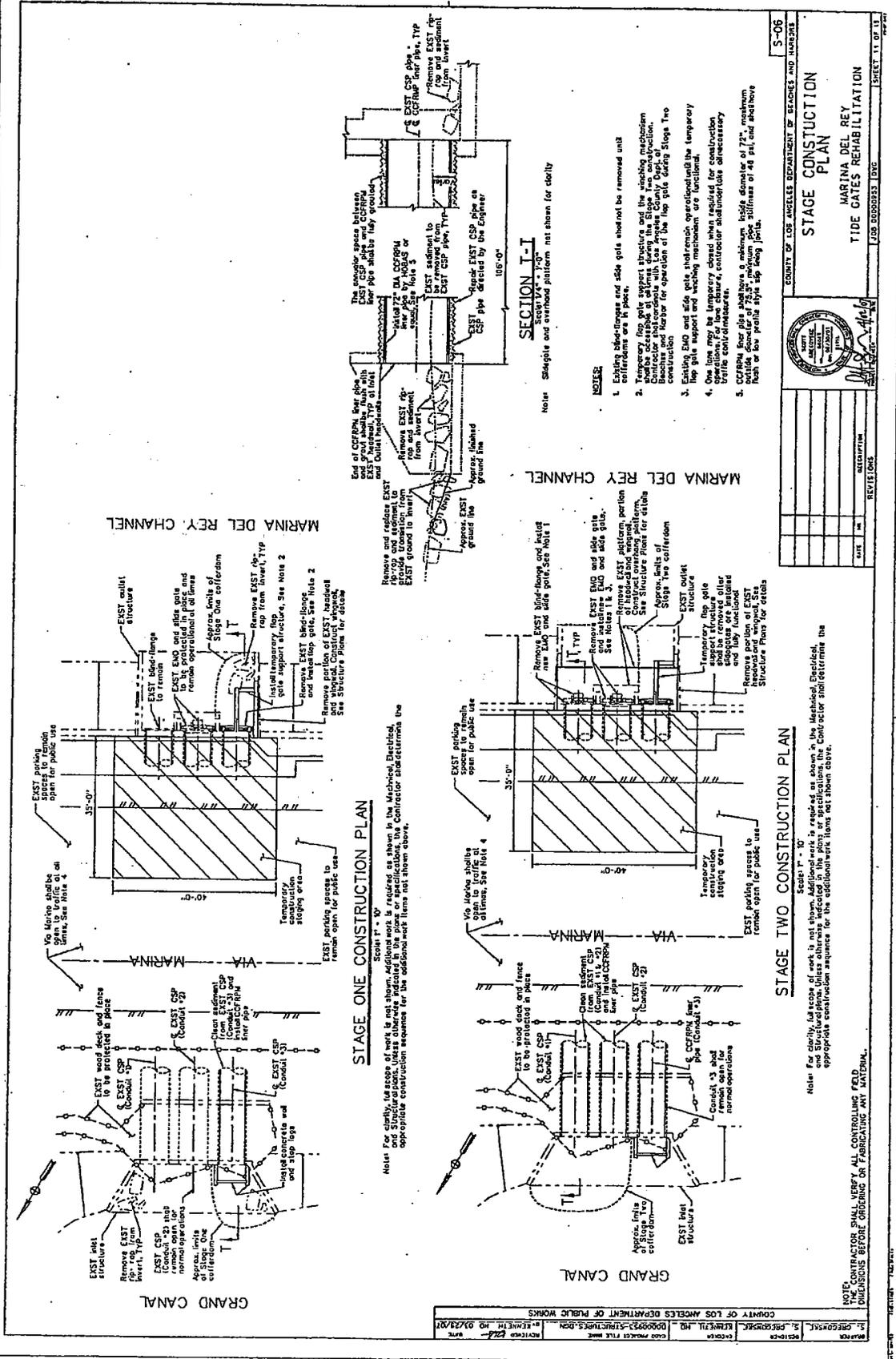
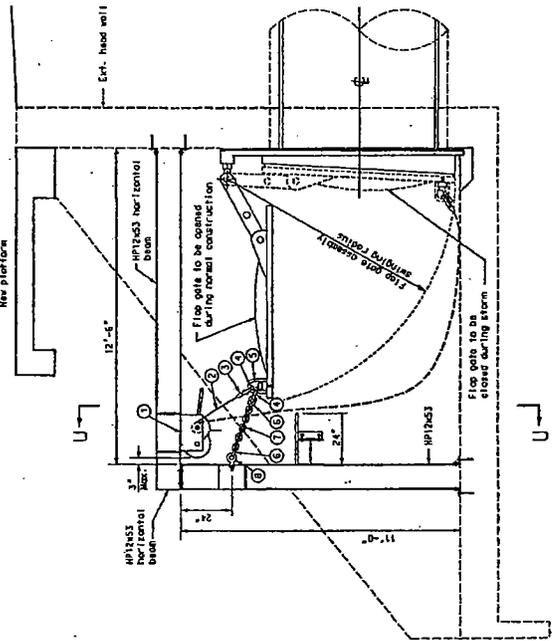


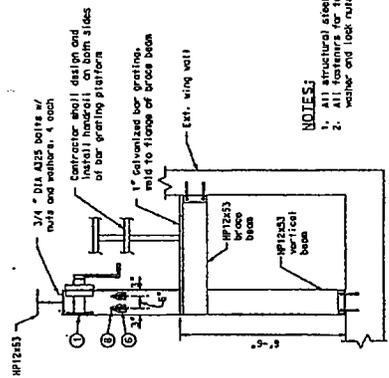
EXHIBIT A
Page 12 of 64

MATERIAL LIST FOR TEMPORARILY
FLAP GATE SUPPORT

Item No.	Description	Qty.	Remarks
1	10,000 lbs. wire rope gear head winch w/ brans for lifting	1	Item Model M422
2	1/2" dia. galvanized wire rope 6037 1000' 25-foot long	1	MANSTER-CARR: 3441175
3	galvanized open spooler socket for 1/2" dia. wire rope	1	Crosby Model G-115
4	1" galvanized steel shackle w/ safety pin	2	MANSTER-CARR: 3343145
5	20,000 lbs. forged steel helix ring	1	MANSTER-CARR: 324122
6	1/2" galvanized steel shackle w/ safety pin	4	MANSTER-CARR: 3343145
7	1/2" dia. welded steel chain link break 60' 2-foot long	2	MANSTER-CARR: 3341111
8	Stainless steel eyebolt w/ shoulder 3" neck, 2 1/2" l.d. eye	2	MANSTER-CARR: 3343116

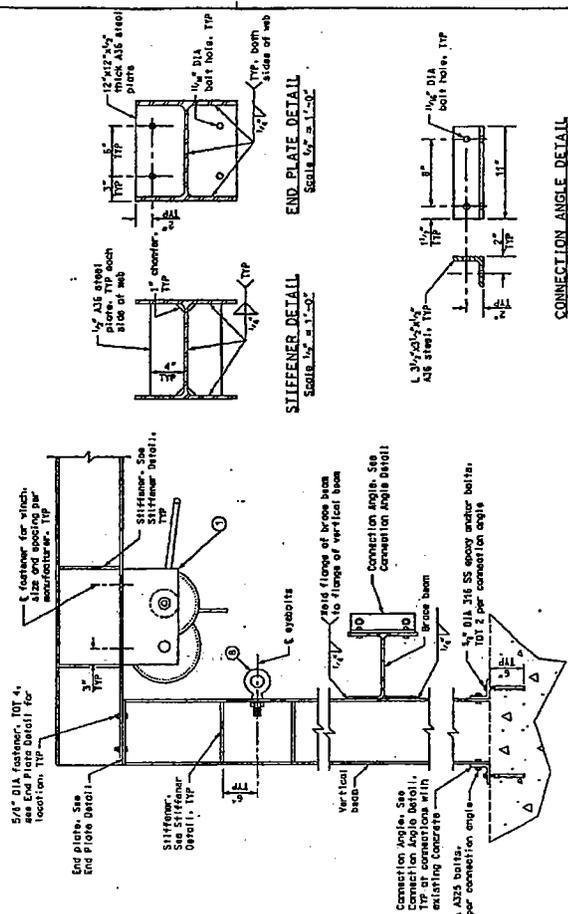


TEMPORARY FLAP GATE SUPPORT
NOT TO SCALE



SECTION U-U
NOT TO SCALE

NOTES:
1. Structural steel for temporary flap gate support shall be A36 steel.
2. All fasteners for temporary flap gate support shall be A325 bolts, with washer and lock nuts, unless otherwise indicated.



STIFFENER DETAIL
SCALE 1/2" = 1'-0"

END PLATE DETAIL
SCALE 1/2" = 1'-0"

CONNECTION ANGLE DETAIL
SCALE 1/2" = 1'-0"

SUPPORT FRAME DETAIL
NOT TO SCALE

COUNTY OF LOS ANGELES DEPARTMENT OF BEACHES AND MARINAS

5-07

TEMPORARY FLAP GATE SUPPORT

MARINA DEL REY TIDE GATES REHABILITATION

JOB NO. 0000033100

SHEET 12 OF 11

DATE: 08/11/03

DESIGNED BY: [Signature]

CHECKED BY: [Signature]

REVISIONS:

NO.	DATE	DESCRIPTION

NOTE: CONTRACTOR SHALL VERIFY ALL CONNECTIONS FIELD DIMENSIONS BEFORE ORDERING OR FABRICATING ANY MATERIAL.

MARINA DEL REY TIDE GATES REHABILITATION

SPECIAL PROVISIONS

SECTION E - ELECTRICAL

The following Special Provisions supplement and amend the Standard Specifications for Public Works Construction 2006 Edition and the Additions and Amendments to the Standard Specifications for Public Works Construction 2006 Edition, dated June 2006. As a reference convenience, these Special Provisions have been arranged into a format which parallels the Standard Specifications.

Pre-bid inquiries regarding the work covered in this Section should be directed to Mr. Michael Tjan at (626) 458-1700.



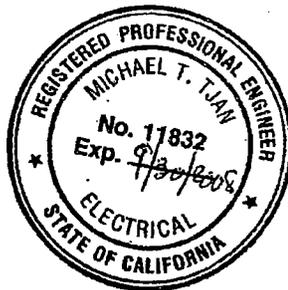
Upon request, the Department can provide contract information in alternate formats or make other accommodations for people with disabilities. To request accommodations, or for more information on the Americans with Disabilities Act (ADA), please contact our ADA Coordinator, at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7:00 a.m. to 5:30 p.m.

Prepared By:

Michael T. Tjan

4/4/2007

Date



MARINA DEL REY TIDE GATES REHABILITATION

SECTION E – ELECTRICAL

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MARINA DEL REY TIDE GATES REHABILITATION

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MARINA DEL REY TIDE GATES REHABILITATION

E-1 ELECTRICAL WORK

E-1.1 General

Provide all materials, transportation, tools, equipment, and accessories and perform all labor and services necessary for and reasonably incidental to the proper completion and testing of all permanent electrical work as specified in the Mechanical Specifications. Furnish and install a new electrical service, electric slide gate motor operator controllers, its accessories, and other electrical equipment to make the electrical installation systems ready for use. Furnishing of slide gate actuators is not included in this Section.

E-1.2 Work Included in This Section

The work in this section includes, but is not limited to, the following major items and all work incidental thereto:

- E-1.2.1 Underground electrical service, 120/240 volts, three phase, four wire.
- E-1.2.2 Main Control Panel (MCP) and Controllers
- E-1.2.3 Programmable Logic Controller (PLC)
- E-1.2.3 Connections to slide gate electric motor operators and associated controls.
- E-1.2.4 Connections to level transmitters and its controllers.
- E-1.2.5 Connections to all electrical equipment.
- E-1.2.6 Testing

E-1.3 Special Provisions

E-1.3.1 General

The Contractor shall make all necessary provisions for a complete electrical wiring installation in accordance with these specifications and drawings. Provide proper backings, supports, inserts, anchors, and bolts for the support of all electrical equipment, conduit, panelboards, and switches, and all provisions required for coordination of the work.

Unless otherwise specified in these specifications or drawings, conduit shall be full weight rigid galvanized steel conduit (GC).

MARINA DEL REY TIDE GATES REHABILITATION

Ampacities specified or shown on the drawings, are based on copper conductors, with the conduit and raceways accordingly sized. Aluminum conductors are prohibited.

E-1.3.2 Regulations and Codes

Work shall comply with the current edition of regulations, codes and standards cited herein and with all local, county and state ordinances, the State of California Administrative Code (including Title 24, Part 3 Electrical Regulations), OSHA, the State Fire Marshall, Standard Specifications for Public Works Construction and all related amendments, and all prevailing rules and regulations that are currently in effect and enforced by the State of California and local municipalities, at the time the construction contract is awarded.

Materials shall conform to the latest rules of the National Fire Protection Association and Underwriters Laboratories wherever standards have been established and label service is regularly furnished, all local and state ordinances, the State of California Administrative Code, the State Fire Marshal and all prevailing rules and regulations. Nothing in these specifications shall be construed to permit work not conforming to the most stringent of applicable codes.

Should any changes be necessary in the drawings or specifications to make the work comply with these requirements, the Contractor shall notify the Agency at once and cease work on all parts of the contract that are affected.

E-1.3.3 Drawings and Intention

The electrical drawings are diagrammatic and do not show all offsets, bends, fittings, junction boxes, pull boxes, expansion fittings, and conduit seals required to meet field conditions. Locations shown on the drawings are based on equipment specified on the drawings or in this specification and are reasonably correct but their absolute accuracy cannot be implied or assumed. The exact locations, levels, and distances shall be governed by the equipment and materials furnished by the Contractor and actual construction and field measurements made by the contractor.

Interpretations as made by the Agency shall govern the work and the Contractor's bid shall include all work and costs incidental to the carrying out of such interpretations

It is the intention of these specifications and drawings to secure an electrical installation complete in every detail. The Contractor shall not omit or fail to furnish any necessary or required element or part because of failure of Agency to specify or name such element or part.

Maintain a legible set of Electrical Drawings and Specifications at the job site at all times.

MARINA DEL REY TIDE GATES REHABILITATION

Interpretations as made by the Agency shall govern the work and the Contractor's bid shall include all work and costs incidental to the carrying out of such interpretations.

Where inconsistencies occur in these drawings and specifications, the most stringent conditions, largest size, greatest quantity, lowest tolerance, and most durable equipment or device shall apply.

E-1.3.4 Record Drawings

Provide and maintain in good order a complete set of electrical contract prints. All changes to the contract shall be clearly recorded on this set of prints. At the end of the project, the Contractor shall transfer all changes, in ink, to two sets of prints for submission to the Agency. The first sheet of each set shall be signed by the Contractor and Inspector as being a correct and accurate record of the installation. Prints will be furnished to the Contractor by the Agency when requested.

E-1.3.5 Shop Drawings

Submit six complete sets of electrical shop drawings for review prior to starting any electrical work. Catalog information may be submitted in lieu of shop drawings for standard production items but must be marked to exactly describe the item being furnished. Include complete descriptive, dimensional and rating information and wiring diagrams. Stamp and sign all information submitted, certifying that it has been reviewed by the Contractor and meets the requirements of the project drawings and specifications and will fit into the available space.

Submit information on the following items:

- Three-Phase Service Pedestal 120/240 Volt, three phase, 4-wire with its Auxiliary Section
- Load centers, panelboards
- Circuit Breakers
- Enclosures
- Boxes
- Controllers
- Wiring Devices
- Conduit
- Cables and Conductors
- Programmable Controller (PLC)
- Level Transmitters and controllers
- Relays and Meters
- Disconnects and Switches

MARINA DEL REY TIDE GATES REHABILITATION

E-1.3.6 Coordination

The electrical work shall be coordinated by the Contractor with the work specified under other parts of these specifications and with the serving utility company's requirements.

If any project work must be altered due to lack of coordination, the Contractor shall be responsible to correct any such work at his own expense to the full satisfaction of the Agency.

E-1.3.7 Guarantee

All materials and equipment provided and installed under this part shall be guaranteed by the Contractor for a period of two years from the date of acceptance of the work by the Agency.

E-1.3.8 Electrical Service

Electrical service entrance and equipment shall conform to power company's requirements and with the California Electrical Code (CEC). Coordinate ground rods, underground structures and conduit/s with power company requirements, and obtain power company approval. Power Company refers to City of Los Angeles Department Water and Power (LADWP). The Contractor shall furnish and install all items for the electrical service except for any item furnished by the City of Los Angeles Department of Water and Power Company (LADWP). The contractor shall pay all charges associated with obtaining the new electrical service. These charges include but are not limited to installation of the transformer and primary conductors. The contractor shall coordinate his work with LADWP for a complete electrical service.

E-1.4 Materials

E-1.4.1 General

All materials, including equipment, accessories, fittings, and all elements and parts shall be new and shall be labeled and listed by UL or by a nationally recognized testing laboratory.

Manufacturer's name and trade names identified with certain materials are mentioned on the drawings and in the specifications. Products of other manufacturers may be permitted on an "or equal" basis provided that such approval is first obtained from the Agency.

MARINA DEL REY TIDE GATES REHABILITATION

When more than one unit of the same class of equipment is required, such units shall be the product of a single manufacturer (e.g., electric service equipment, units housing circuit breakers, panelboards, switchboards and the like shall be of a single manufacturer).

All electrical equipment shall be the latest production model of a manufacturer who has produced the type of equipment for at least (3) years.

Approved materials shall be selected from those listed in the publications of the Underwriters Laboratories, Inc. The materials shall bear the labels where labels are indicated to be used in said publications. Any material not listed shall have specific approval by the Agency before they are to be used in this work. Materials not having this approval shall not be kept at the construction site. All materials for the same purpose shall be of the same make and quality throughout the work. Capacities, sizes, and dimensions given are minimum unless otherwise indicated. In addition, where maximum dimensions are indicated due to space requirements, these maximums shall be maintained. All manufactured materials shall be delivered and stored in their original containers which shall indicate clearly the manufacturer's name, the brand, and identifying number. Equipment shall be clearly marked or stamped with the manufacturer's name and rating.

The Contractor shall furnish the Agency within forty-five (45) calendar days after award of contract, six copies of a complete list of the materials showing the manufacturers of the equipment to be installed. Contractor shall allow twenty-one (21) calendar days for checking and processing, and shall assume all responsibility for delays incurred due to rejected items. No installation of material shall be made until stamped submittals have been obtained from the Agency. Materials which have not received the approval of the Agency shall not be incorporated into the work.

The Contractor shall be entirely responsible for all electrical materials, fittings, assemblages, and parts delivered to the site and provide for their storage and protection during storage and during construction. Damaged materials shall be removed and replaced at the Contractor's expense before the final inspection and approval.

E-1.4.2 Conduit

Conduit shall comply with the requirements of the Underwriters Laboratories and shall be delivered to the site in standard lengths with each length bearing manufacturer's trademark or stamps and Underwriters label. All Galvanized Conduit (GC) conduit, except where flexible conduit is required, shall be standard weight, rigid steel, hot-dipped galvanized. Except PVC Schedule 80 may be used where permitted by serving utility for electric service and PVC Schedule 40 conduit shall be used where PVC conduits are called for on plans.

MARINA DEL REY TIDE GATES REHABILITATION

Couplings and connectors shall be galvanized and shall not be the indent type, set screw type or similar, but shall be of the screw-thread type. Conduit elbows shall be of the same material and make as the conduit. The radius of curvature must not be less than six (6) times the internal diameter of the conduit.

The conduits shall be liquid-tight neoprene jacketed "Sealtight" flexible conduit with liquid-tight compression type connectors and bonding grounding conductors.

E-1.4.3 Bushing and Locknuts

Bushings and locknuts and similar devices shall be galvanized up to 1" conduit. Aluminum die-cast or pot metal fittings will not be accepted.

E-1.4.4 Conduit Fittings

Conduit fittings shall be galvanized.

E-1.4.5 Conduit Supports

Conduit supports shall be galvanized.

E-1.4.6 Wire and Cable

E-1.4.6.1 General

All wire and cable shall be delivered to the site in unbroken packages which shall be inspected and approved by the Agency before opening. Packages shall be plainly marked or tagged as follows:

- A) Underwriters labels
- B) Type, size, and insulation
- C) Name of manufacturing company and trade name
- D) Month and year when manufactured, which date shall not exceed eight (8) months prior to the date of delivery at the site.

E-1.4.7 Power, Control, and Lighting Conductors

Power, control and lighting conductors shall be copper with 600 Volt insulation, type THHN-THWN. Power and lighting conductors #8 AWG and larger and control conductors shall be stranded. Where #16 AWG conductors are permitted for control wire provide shielded (SHLD) type of wire or as required on the drawing.

MARINA DEL REY TIDE GATES REHABILITATION

E-1.4.8 Grounding and Bonding Conductors

Grounding and bonding conductors shall be stranded copper. Equipment ground and bonding conductors may be bare or covered with green TW or THW insulation.

Ground Rod: Copperclad steel, 5/8-inch diameter by 10 feet long. Connectors shall be U.L. listed ground clamps.

Electrical Ground Conductor (EGC): Shall be UL and NEC approved types, copper, dual rated THHN-THWN insulation. Color identification as green. The wire size shall not less than as required by the NEC.

Measure the resistance to ground of the grounding system before connecting equipment. Resistance to ground using the three-terminal, fall-of-potential test method shall not exceed 25 ohms. Record resistance measurements, test point locations, ambient temperature and weather conditions at time of test on the test report form.

E-1.4.9 Splices in Wire

Make joints, splices, taps, and connections for 600 volt conductors with solderless connectors approved by the Agency. Tape all connections with Scotch Tape #33 or a Agency-approved equal. Approved connectors are:

For wire #10 AWG and smaller:

- a) "Scotchlok"
- b) Ideal (Set Screw Type) Connectors
- c) Buchanan Connectors
- d) Marr Connectors

For wire #8 AWG and larger:

- a) T & B "Lock-Tite" Connectors
- b) Burndy Versitaps and Heavy Duty Connectors
- c) O. A. Solderless Connectors

E-1.4.10 Outlet Boxes

Outlet boxes shall be of type 4X, stainless steel boxes. All boxes shall be sized per NEC for the number of wires passing through or terminating.

MARINA DEL REY TIDE GATES REHABILITATION

Outlets for exterior mounting shall have weatherproof connections all around; covers shall have suitable gaskets.

E-1.4.11 Junction and Pull Boxes

Pull boxes shall be of Stainless steel boxes and be installed in all conduit runs wherever indicated and/or where necessary in order to facilitate the pulling of wires or cables. Boxes shall be provided with removable covers, secured with matching screws. Where more than one junction box is used in any room, the junction box covers shall be identified. All surfaces of boxes and covers, inside and out, shall be given a primer coat and one coat of gray paint. Conduit shall enter the boxes through tight fitting, bored or punched holes, and shall be secured to the boxes with double locknuts and bushings.

E-1.4.12 Wiring Devices

Convenience outlets shall be grounding GFCI type, ivory, and shall have two current carrying parallel contacts and one "U" shaped grounding contact which is internally connected to the receptacle frame, and shall be rated 20 amperes, 125 volts. The duplex convenience outlets shall conform to Federal Specification W-C-596. Receptacles shall be Hubbell 5352-I, Arrow-Hart 5352I, Bryant 5352-I or Agency approved equal.

Switches shall be AC "T" rated specification grade, "Quiet", ivory, totally enclosed, of bakelite base toggle type and shall conform to Federal Specification W-S-896. Switches shall be rated 15A, 120-277 VAC. Local switches shall be as manufactured by Hubbell, Arrow-Hart, General Electric, Bryant, or Agency approved equal.

E-1.4.13 Plates

Plates shall be supplied for every local switch, receptacle, telephone outlet, and similar items. All switch plates shall be furnished with engraved or etched designations where the equipment or circuit controlled cannot readily be seen at the switch location. Plates shall be .040" satin-finish stainless steel. Install weatherproof plates where exposed to the weather.

E-1.4.14 Grounding Hardware

Ground rods shall be 5/8" diameter by 10' long unless otherwise noted, Copperweld or approved equal. Connectors shall be of copper or bronze.

E-1.4.15 Wire Markers

Conductors shall be identified with Brady "EZ Code" or Panduit "Insta Code" wire markers or approved equal.

MARINA DEL REY TIDE GATES REHABILITATION

E-1.4.16 Name Plates

Provide engraved laminated acrylic plastic (black characters on white background) name plates for disconnect switches, mini power center, and all other fabricated equipment. Size of engraved letters shall be 1/4" high unless otherwise noted. Letters shall be vertical and shall be upper case. Submit shop drawings for proper size and nomenclature.

E-1.4.17 Selector Switch

Selector switch shall be 3-position 2 pole with nameplate "MAN OFF AUTO" as shown on plan. Selector switch shall be Square D, Allen Bradley, General Electric, or Agency-approved equal.

E-1.4.18 Pushbuttons

Pushbuttons shall be Square D, Allen Bradley, General Electric, or Agency-approved equal.

E-1.4.19 Service Panel

Service Pedestal shall be 120/240 VAC, 3 phase, 4 wire, 100 amp main, short circuit rated as directed/recommended by LADWP. Service Pedestal shall meet LADWP service requirements. Service Pedestal shall be NEMA 4X, Stainless Steel, padlockable for outdoor use with 30 panel circuit interior complete with main breaker and branch circuit breakers as shown on the Plans. Service Pedestal shall be Myers MEUG461X or Agency-approved equal.

E-1.4.20 Service Pedestal Pad Mounting

Pad mounting base shall meet LADWP service requirements.

E-1.4.21 Main Control Panel (MCP).

The main control panel is designed to be the auxiliary section part of the Electrical Service Pedestal, Type NEMA 4X, 12 gauge steel, stainless steel enclosure, with door lock. The Main Control Panel shall be Meyers MEUG461X or Agency approved equal.

E-1.4.22 Disconnect Switch or Safety Switch.

MARINA DEL REY TIDE GATES REHABILITATION

The non-fusible heavy duty safety switch shall be 30 Amp, 3-pole, 3 phase, 240 V, NEMA Type 4X, stainless steel, Square-D catalog no. HU3211DS or Agency Approved Equal.

E-1.4.23 Phase Monitoring Relay (PMR)

Phase Monitor Relay (PMR) shall monitor Phase Loss, Phase Unbalance, and Phase Reversal. When the voltage on any phase is below the voltage on the other two phases or when two lines in a three phase system are switched, the PMR relay operates to shut off power. PMR relay shall be Square D, or Agency-approved equal.

E-1.4.24 Relays

Relays shall have contacts and features as shown on plans. Relays shall be Square D, or Agency-approved equal.

E-1.4.25 Programmable Controller

Programmable controller for gate operator shall be programmable with programs loaded through local RS232/RS485 port. Port can be programmed to recognize specific ID codes to protect integrity. Unit shall be programmed using ladder logic.

Operating system shall be USX Multi-task real time multitasking kernal with Modbus Protocol. Processor speed 8MHZ, static ram 128K, EEPROM 8K, EPROM 256K bytes 24 VDC power, with operating temperature of -20°C to +70°C. Provide floating point math logic functions, process control algorithms.

Provide 4-channel inputs of 12 bit resolution 0-5 volts and 4-20 mA with transient protection and isolation between logic and analog commons. Provide 16 digital inputs.

Provide 4-channel outputs of 12 bit resolution 4-20 mA with capability of driving 1000 ohm load. Outputs shall include 16 digital outputs.

Programmable controller shall be Square D, Allen-Bradley, or Agency-approved equal.

E-1.4.26 Level Transmitter and Controller.

Two level transmitters and two controllers shall be furnished and installed in accordance with the plans. One level transmitter and its controller shall be installed on the Grand canal Side and the other set on the Marina side.

MARINA DEL REY TIDE GATES REHABILITATION

A. Level Transmitter Controller:

Digital Meter Controller (DMC) or Panel mount, microprocessor based, four (4) digit digital display, 120VAC input power (provide alternate cost to furnish and install battery powered 24VDC to 120VAC inverter and fuses). Continuous integration charge balancing converter, digital filter, walking window mean value selectable (slow, normal, fast), 1-second response time to rated accuracy, 24VDC +/- 5% excitation supply with short circuit protection, two programmable relay outputs with contacts rated 250VAC, 6A or 12VDC at 1A, Analog output 0-20ma or 4-20ma and set at 4-20ma, RS232 serial output with 9600 baud rate, accuracy of +/- 0.08% full scale, scaled and set for accurate basin water level. Compatible with Ametek 575 level transmitter. Controller shall be Ametek DMC Digital Meter/Controller or Agency approved equal.

B. Level Transmitter:

Solid state semiconductor sensor, all housing parts 316 stainless steel including nut/washer, 316L stainless steel diaphragm, viton cable grommet and housing "O" ring, removable non-clogging nylon snub nose to protect sensing elements, 2-wire 4-20ma output with current limit of 30ma, 12-40VDC power supply with reverse polarity surge protection, loop resistance of 1400 ohms max at 40VDC, compensated 32 to 122 °F, factory applied polyurethane shielded cable (unspliced throughout entire run) and vented to atmosphere through the surface end of the cable, cable support bracket, reverse polarity surge protected, lightning protector, manufacturer approved intrinsically safe barrier for Class 1 Division 1 (Group A,B,C&D) operation, calibrated per catch basin water levels (0-35 feet of water, see mechanical plans and specifications), measurement of hydrostatic pressure via ion implanted silicon semiconductor chip with integral wheatstone bridge circuit, fully compatible with Ametek DMS controller. Level transmitter shall be Ametek model 575 or approved equal.

E-1.5 Installation

E-1.5.1 Conduit

Conduit shall be run underground, exposed on along/below above the deck/platform as shown on the drawings. Conduit runs shall be parallel/straight with the structures/walls and with each other. Turns shall consist of cast metal fittings or symmetrical bends. All runs of conduit shall be installed in a manner to avoid trapped condensation.

MARINA DEL REY TIDE GATES REHABILITATION

Make up all threaded joints in steel conduit to couplings or fittings tightly using zinc chromate or other approved conductive compound. Plug all unused conduit hubs.

Support individual conduits routed along concrete, masonry or on other surfaces with malleable iron clamps and clampback/spacers. Support multiple conduits with galvanized preformed channel (Unistrut or approved equal).

Provide pull fittings in all conduit runs having more than the equivalent of three 90 degree bends. Install junction boxes instead of pull fittings where splices are required. Space conduits far enough apart so that the conduit fittings are accessible for pulling of wires.

Use a short length of flexible conduit for connections to motors and control devices such as limit switches, solenoid-operated valves, and pressure switches to reduce stress and vibration transmitted to the conduit system.

Where conductors of #4 AWG or larger are to be installed in a conduit, or where any conductors are to be deflected more than 30 degrees when leaving a conduit, terminate the conduit with an insulating bushing.

Installation of conduit seal packing and sealing compound shall comply with seal manufacturer's instructions. Close seal fitting immediately after sealing. Seals may be inspected by the Agency and any found defective shall be removed and re-poured.

E-1.5.2 Wire and Cable

Pull conductors carefully to avoid sharp bends, kinks, damage to insulation or overstressing of conductors. Use a pulling lubricant of a type approved by the conductor manufacturer to facilitate installation of conductors.

Splice conductors in accessible locations only, such as junction boxes and gutters.

Identify conductors at all termination and junction points by the numbers shown in the schematic diagrams for control conductors and by panel and circuit numbers for power and lighting conductors.

E-1.5.3 Sleeves, Inserts, and Openings

Provide and install all sleeves, inserts, anchor bolts, and similar items required for the installation of the work as the general construction work proceeds. If cutting, boring, or notching of the structure is required, due to failure to install the work at the proper time, the operation shall be carried out under the direction of the Agency at no cost to the Agency.

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E-1.5.4 Grounding

Use approved bonding materials to make good contact at all panel boxes, outlet boxes, and junction or pull boxes to the conduit system. Service neutrals shall be grounded by a ground conductor to the ground rod. All equipment, including motor frames shall be grounded by a conduit or insulated conductor to the grounding system.

Ground conductors shall be continuous between indicated connections, without joints or splices. All ground connections shall be made with bolted connectors and shall be accessible for inspection and testing. Clean contacting surfaces to bright metal immediately prior to final connection. Protect ground conductors rising from underground through concrete pads or paving with Schedule 80 polyvinyl chloride plastic conduit. Ground conductors installed in metallic conduit shall be bonded to the conduit at both ends.

An electrode shall be encased by at least 2" of concrete, located within and near the bottom of concrete foundation that is in direct contact with the earth. The electrode shall consist of at least 20' of one or more steel reinforcing bars of not less than 1/2" diameter or of at least 20' of #2 AWG bare copper conductor. Connect the electrode, a ground rod and cold water line to the service equipment ground bar.

E-1.5.5 Programming and Training

Provide manufacturer's representative to program programmable controller and train operators in equipment use for a minimum of three days.

E-1.5.6 Testing

Perform tests, under direction of the Agency, to assure that all equipment and materials have been correctly installed and are in satisfactory operating condition. Notify the Agency at least two working days prior to each test. Supply all test equipment required.

Test motors for correct rotation, excessive vibration, and bearing noise.

Assist in a functional test of controls, monitoring and telemetry circuits, and correct any faults or defects in the installation and Contractor furnished equipment or materials.

E-1.5.7 Payment

Payment for all electrical items and related work as specified in this section shall be included in the lump sum bid amount.

MARINA DEL REY TIDE GATES REHABILITATION

SPECIAL PROVISIONS

SECTION M - MECHANICAL

The following Special Provisions supplement and amend the Standard Specifications for Public Works Construction 2006 Edition and the Additions and Amendments to the Standard Specifications for Public Works Construction 2006 Edition, dated June 2006. As a reference convenience, these Special Provisions have been arranged into a format which parallels the Standard Specifications.

Pre-bid inquiries regarding the work covered in this Section should be directed to Mr. Opart Pongpun at (626) 458-7879.



Upon request, the Department can provide contract information in alternate formats or make other accommodations for people with disabilities. To request accommodations, or for more information on the Americans with Disabilities Act (ADA), please contact our ADA Coordinator, at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7:00 a.m. to 5:30 p.m.



Prepared By:

Opart Pongpun
3/28/07
Date

Reviewed:

Peter S. Chang
4-2-2007
Date

MARINA DEL REY TIDE GATES REHABILITATION

SECTION M - MECHANICAL

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MARINA DEL REY TIDE GATES REHABILITATION

M-1 SCOPE

The Contractor shall furnished and installed cast-iron slide gate assemblies with electric motor operators, flap gate assembly, stop logs assembly, and other appurtenances specified or required to provide a complete and operable installation. The cast-iron slide gates and flap gate shall be vertically mounted on to the existing headwall per Plans. The aluminum stop logs assembly shall be anchored into a 7-foot-high concrete wall per Plans.

The cast-iron slide gate assemblies, electric motor operators, flap gate assembly, and aluminum stop logs assembly shall be the product of a manufacturer regularly engaged in the manufacture of such equipment for at least ten years.

M-2 CAST-IRON SLIDE GATE ASSEMBLIES WITH ELECTRIC MOTOR OPERATORS AND APPURTENANCES

M-2.1 CAST-IRON SLIDE GATE ASSEMBLIES

The Contractor shall furnished and installed cast-iron slide gate assemblies and appurtenances per Plans. The gates shall be cast iron, bronzed mounted, and the flush bottom closure type. The gates shall be suitable for storm water service and be designed for the following specification:

Location	Gate Size (in.)	Quantity	Design Head (ft.)		Operating Seating Head (ft.)	Stem Dia. (in.)	Operator Type
			Seating	Unseating			
As indicated on the Plans	84x84	2	54	17	8.0	3.25 min.	Electric Motor w/ Hand wheel

The leakage allowable is 0.1 gallon per min (gpm) per foot of seating perimeter. No component shall be stressed beyond the following:

Maximum Allowable Combined Stress = 1/5 Tensile Strength

Maximum Allowable Combined Stress = 1/3 Yield Strength

The gate assemblies shall conform to the latest edition of the AWWA C560 Standard and as modified by the following specifications.

The cast-iron slide gate supplied shall be Series HY-Q as manufactured by Rodney Hunt Company, or Agency approved equal.

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The cast-iron slide gate assembly shall include, but not be limited to the frame, disc, disc guides, wedges, seat faces, flush-bottom seal, thrust nut, stem, and wall bracket.

M-2.1.1 FRAME

The frame shall be one piece cast-iron construction with all contact surfaces machined. Dovetailed grooves shall be machined on the front face of the frame for the fitting of the bronze seat facings. The back of the frame shall be machined and drilled for bolting onto the wall thimble. The frame shall have integrally cast pads, machined to receive the top wedge seats.

M-2.1.2 DISC

The slide disc shall be cast iron with integrally cast vertical and horizontal reinforcing ribs, and a reinforced nut pocket to receive the bronze thrust nut. Cast pads shall be drilled, tapped, and machined with a groove to receive the mounting tongue of the adjustable wedges. The disc shall have accurately machined tongues on each side extending its full length to fit into the guide grooves with a maximum allowable clearance of 1/16 inch. The back side of the disc shall have machined dovetailed grooves for the fitting of the bronze seat facings.

M-2.1.3 DISC GUIDES

Guides shall be cast iron and be integrally cast with the frame, or dowelled and bolted to the frame. The guides shall be machined on all contact surfaces and a groove shall be accurately machined on the entire length of the guide to allow 1/16-inch maximum clearance between the guide groove and disc tongue. Cast pads shall be provided on the guide for the side wedge seats. The guides shall be of sufficient length to support at least one-half of the height of the slide disc when fully opened. The guides shall be capable of taking the thrust produced by water pressure and the wedging action without lateral movement or vibration.

M-2.1.4 WEDGES

Cast-iron slide gate shall be equipped with top and side wedging devices to insure tight contact between the seat facings on the disc and frame when the gate is fully closed. Wedges shall be cast bronze, machined on their contact surfaces to give maximum contact, and wedging action. Wedges shall be fully adjustable and be attached to the gate disc with bronze fasteners. Side wedges shall be keyed to the gate disc to prevent rotation by means of a full length tongue on the wedge fitted into a groove on the mounting pad of the disc. Top wedges shall consist of wedge hooks on the gate disc, which seat onto bronze loops keyed and bolted to the gate frame. All wedges shall be provided with a hold-down stud nut and adjusting screw with lock nut to retain the proper setting once adjusted.

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M-2.1.5 SEAT FACES

Seat facings shall be extruded bronze, pneumatically impacted into machined dovetail grooves in the frame and slide disc to permanently lock them into place. Attachment by screws or other fasteners is not allowed. The installed seat facings shall be machined to a plane with a 63 micro-inch finish or better and maximum clearance between seating faces not to exceed 0.004 inch with gate fully closed.

M-2.1.6 FLUSH BOTTOM CLOSURE

The flush bottom closure shall consist of a wide resilient seal made of neoprene, attached to the bottom of the slide disc or invert frame with a stainless steel retainer plate and stainless steel screws. When the gate is closed, the seal is compressed against a machined cast-iron surface between the disc and frame invert, thus creating an effective watertight seal along the invert.

M-2.1.7 THRUST NUT

A thrust nut shall be provided for connecting the stem to the slide disc. The thrust nut shall be cast bronze, and be threaded to the stem and locked with a gib key secured by a stainless steel set screw. The square-backed thrust nut and slide disc nut pocket shall be constructed to prevent turning of the nut in the pocket while operating the gate.

M-2.1.8 STEM

The operating stem shall be continuous length round bar stainless steel. Stem threading shall be machine-cut, left-hand 29° ACME threads with a surface finish of 63 micro-inch or better.

The minimum stem size required shall be as listed in the gate schedule and indicated on the Plans.

M-2.1.9 MATERIALS

Materials used in the construction of the cast-iron slide gate and appurtenances shall conform to the following requirements:

<u>Part Description</u>	<u>Material</u>	<u>ASTM Standard</u>
Frame	Cast Iron	A126 Class B
Disc	Cast Iron	A126 Class B
Disc Guide	Cast Iron	A126 Class B

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Wedges (Top & Side)	Bronze	B584 C86500
Wedge Seats	Bronze	B584 C87300
Wedge Fasteners	Bronze	B98 C65500
Seat Faces	Bronze	B98 C65500
Flush Bottom Seal	Neoprene	D-2000
Seal Retainer	Stainless Steel	A276 Type 304 Cond A
Thrust Nut	Bronze	B584 C86500
Thrust Nut Key	Stainless Steel	A276 Type 304 Cond A
Stem	Stainless Steel	A276 Type 304 Cond A
Gate Assembly Fasteners	Stainless Steel	F593 Alloy 304 Cond A
Hex Nuts	Stainless Steel	F594 Alloy 304 Cond A
Wall Mounting Bracket	Cast Iron	A126 Class B

M-2.1.10 STEM COVER

The stem cover shall be Schedule 40, galvanized steel pipe conforming to ASTM A53 Type E Grade A. The stem cover shall be of sufficient diameter to permit full travel of the stem with adequate clearance. The stem cover shall have a 3/4-inch-wide slot, covered by a transparent, impact resistant, and polycarbonate sheet to permit view of the stem for gate position indication. There shall be a calibrated scale engraved on the steel pipe stem cover with marked numerals for zero (closed position) and every foot of gate travel and graduations in tenth of a foot. The top of the stem cover shall be covered by means of a galvanized, malleable iron pipe cap. The stem cover shall be coupled to the top of the operator by means of NPT pipe threads. The Contractor shall fabricate the stem cover per Plans.

M-2.1.11 PEDESTAL AND ANCHOR BOLT ASSEMBLY

The gate manufacturer shall provide a fabricated floor mount steel pedestal and anchor bolt assembly to support the maximum stall load of 71,000 lb and maximum operating load of 48,500 lb. The pedestal shall be mounted on to the anchor bolt assembly per Plans. The anchor bolt assembly shall be fabricated per Plans. The gate manufacturer shall provide shop drawing for the pedestal design for the Agency review and approval prior to begin construction.

MARINA DEL REY TIDE GATES REHABILITATION

M-2.2 ELECTRIC MOTOR OPERATORS AND APPURTENANCES

M-2.2.1 GENERAL

The electric motor operator (EMO) shall include, but not be limited to, the electric motor, operator reduction gearing, position limit switches, torque limit switches, limit switch gearing, stem lift nut, declutch lever, auxiliary handwheel, automatic resetting overloads, AC reversing magnetic starter, transformer, 24 point terminal strip, and compartment heaters as a self-contained unit with a ductile iron or cast-iron main housing. The operator shall be Limatorque L-85 Series or an Agency approved equal.

M-2.2.2 OPERATIONAL REQUIREMENTS

The electric motor operator shall be capable of raising and lowering the cast-iron slide gate with a rising stem at a rate of travel of 9 to 12 inches per minute.

M-2.2.3 MOTOR

The motor shall be an induction type, specifically designed for actuator service, and be of high starting torque, totally enclosed and nonventilated construction. The motor shall have anti-friction bearings and be permanently lubricated. The motor shall withstand jogging at 90 and 110 percent of nominal voltage without exceeding its temperature rating and shall meet NEMA standards. The motor shall be protected by overload device integral with the motor and shall be of the automatic resettable type. The motor shall have an internal electric heater. The motor shall be a unitized subassembly, independent of the power-gearing, allowing easy removal for replacement, repair, or rewinding. The motor shall be approved by a national independent testing laboratory (U.L., FM, CSA, or City of L.A.).

The motor shall comply with the following parameters:

Torque Rating	40 Ft-lb
Voltage	240 volts
Phase	3
Frequency	60 hertz
Speed	1,800 RPM (nominal)
Time Rating	15 minute minimum
Number of Starts	10 per minute.
Insulation Class	F
Ambient Temperature	40 C minimum
Control Voltage	120 volts
Heater Rating	25 watts @ 120 volts

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M-2.2.4 OPERATOR REDUCTION GEARING

The operator power gearing shall be a multiple reduction unit consisting of spur, helical, or bevel gears and worm gearing. The spur, helical, or bevel gearing and worm shall be hardened alloy steel, while the worm gear shall be alloy bronze. Nonmetallic and aluminum gears are not acceptable. All gears and shafting shall be supported on anti-friction bearings. All power train gearing and bearings shall be grease or oil lubricated. Provisions shall be provided for inspection and relubrication without disassembly. Seals shall be provided on all shafting exit points of the gear case.

M-2.2.5 STEM NUT

The operator shall have a removable stem lift nut constructed of high strength bronze alloy. The stem nut supplied shall be internally threaded to mate with the gate stem supplied and shall have the same surface finish of 63 micro-inch or less.

M-2.2.6 MANUAL OPERATION

The motor gate operator shall be equipped with a side mounted handwheel for manual operation. The handwheel shall not rotate during motor operation and the motor shall not rotate during manual operation. A fused motor shall not prevent manual operation. When in the manual operating mode, the operator will automatically return to electric operation when the motor is energized. Changing from motor operation to manual hand wheel operation shall be accomplished by movement of a padlockable declutch lever, which mechanically disengages the motor and related gearing. The handwheel shall have an arrow and the word "OPEN" indicating required rotation and shall require no more than 80 pounds of rim effort at the maximum required torque.

M-2.2.7 HAMMERBLOW DEVICE

The operator shall have a lost motion device, integral in the power gear train, which allows the motor to attain full speed before engaging the load with a hammerblow effect.

M-2.2.8 POSITION LIMIT SWITCH

Position limit switches shall be geared directly to the operator drive mechanism and remain synchronous with the gate position whether manually or electrically operated. Limit switch gears shall be bronze or stainless steel, and be grease lubricated and totally enclosed to prevent entrance of foreign matter. The limit switches shall be of the open contact type with a rotary wiping action and be infinitely adjustable, allowing for trip points from fully open to fully closed positions of gate travel. Limit switch contacts shall be heavy duty, silver plated.

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M-2.2.9 TORQUE SWITCH

The operator shall include an adjustable torque limiting switch that will interrupt the control circuit in both the opening and closing directions when an obstruction is encountered, resulting in torque overload. Switch contacts shall be silver plated. The torque switch shall have graduated dials for both opening and closing direction of gate travel, and each shall be independently adjustable with a limiter plate to prevent setting beyond operator output torque capability.

M-2.2.10 REVERSING MAGNETIC STARTER

The reversing magnetic starter shall be rated for 240 volts, 3-phase, 60 hertz, and be capable of starting the motor.

M-2.2.11 HEATER

The operator shall be supplied with at least one control compartment space heater rated at 20 to 25 watts at 120 volts and a motor heater rated at 25 watts at 120 volts.

M-2.2.12 ELECTRICAL CONTROL ENCLOSURE

The position limit switches, torque switches, starter, space heater, and terminal strips shall be housed in a single electrical enclosure compartment to provide single entry access for field servicing of the components. The compartment enclosure shall be hinged and sealed by O-ring and shall meet NEMA 4 weatherproof construction.

M-2.2.13 ELECTRIC MOTOR OPERATOR CONTROL STATION

A pushbutton control station shall be furnished for the motor operator.

The control station shall contain, as a minimum:

- One "OPENED" indicating light
- One "CLOSED" indicating light
- One "OPEN" pushbutton
- One "CLOSE" pushbutton
- One "STOP" pushbutton

"CLOSED" Indicating Light

The "CLOSED" (red) indicating light shall be off only when the gate is fully opened.

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"OPENED" Indicating Light

The "OPENED" (green) indicating light shall be off only when the gate is fully closed.

All indicating lamps shall be removable from the front of the panel. Lamps shall be rated at 120 volt, 60 hertz, 1 phase. Control stations shall be weatherproof (NEMA 4).

The control station shall be directly mounted and integral with the electric actuator. There shall be provisions for padlockable lockout for all pushbuttons.

Control stations shall be Limitorque SW320 or Agency-approved equal.

M-2.3 PROTECTIVE COATING AND PAINTING

All exposed ferrous metal surfaces of the cast-iron slide gate assembly shall be coated with the manufacturer's recommended coal tar epoxy. Surfaces shall be prepared by abrasive blast cleaning to SSPC-SP-10 before shop-applying of primer and finished coats.

Touch-up coating for each gate, the supplier shall furnish sufficient resin and hardener to make one gallon of the coating to repair any damage to the shop-applied coating sustained during shipping and installation.

All exposed exterior surfaces of the gate operator and pedestal shall have a minimum of one prime coat and two finish coats of machinery enamel suitable for outdoor service.

M-2.4 PAYMENT

The lump sum price in the Bid for "CAST-IRON SLIDE GATE ASSEMBLIES WITH ELECTRIC MOTOR OPERATORS AND APPURTENANCES" shall be considered full compensation for furnishing all labor, materials, tools, and equipment to perform all work of this section not specifically covered by other items of the Work.

M-3 FLAP GATE ASSEMBLY

M-3.1 GENERAL

The Contractor shall furnish and install one (1) 84-inch diameter circular cast-iron body, bronze seat, double pivot flap gate with cast-iron wall thimble as manufactured by Rodney Hunt Company Model FV-AC or approved equal. The leakage shall not be greater than 0.2 gpm per foot of seating perimeter. The gate shall open at 0.2 feet of unseating head.

MARINA DEL REY TIDE GATES REHABILITATION

M-3.2 MATERIAL LIST

Materials used in the construction of the cast-iron-flap gate and appurtenances shall conform to the following requirements:

Flap cover	Cast iron	A126 Class B
Cover seat facing	Bronze	B21-464
Body	Cast iron	A126 Class B
Body seat facing	Bronze	B21-464
Hinge arms	Bronze	B584 C865
Hinge pins	Stainless steel	A276-304
Hinge pin washers	Stainless steel	A276-304
Cotter pins	Bronze	B98 C655
Wall thimble	Cast iron	A126 Class B

M-3.3 PAYMENT

The Contract Unit Price in the Bid for "FLAP GATE ASSEMBLY" shall be considered full compensation for furnishing all labor, materials, tools, and equipment to perform all work of this section not specifically covered by other items of the Work.

M-4 STOP LOG ASSEMBLY

M-4.1 GENERAL

The Contractor shall furnish and install aluminum stop logs assembly and lifting device per Plans. The stop logs assembly shall include one piece extruded aluminum with side and bottom seals, guides, frame, lifting lugs, and lifting device as manufactured by Rodney Hunt Company or Agency approved equal. The Contractor shall submit the design and material list for the stop logs assembly to the Agency for review and acceptance prior to begin construction.

M-4.2 ALUMINUM LOGS

The log shall be one piece extruded aluminum with maximum deflection of 1/360 of the span of the log under the design head. Each log shall be equipped with extruded resilient neoprene D2000, grade AA625 seals, or approved equal on both sides and the bottom. Logs shall be submerged under their own weight. Each log shall not exceed 12 inches in total height. The stop logs manufacturer shall provide the logs assembly equal to the minimum height of 7 feet from the invert of the concrete apron.

M-4.3 GUIDES

The guides shall be extruded aluminum anchored into the concrete. The height of the guides shall be no less than 7 feet from the invert of the existing concrete apron.

MARINA DEL REY TIDE GATES REHABILITATION

M-4.4 LIFTING DEVICE

The stop logs manufacturer shall provide one lifting device with suitable connecting points for crane operation. The device shall be guided by the slot of the guide extrusion and shall be capable of securing and releasing the stop logs with the use of a lanyard from the operation floor.

M-4.5 PAYMENT

The lump sump price in the Bid for "STOP LOG ASSEMBLY" shall be considered full compensation for furnishing all labor, materials, tools, and equipment to perform all work of this section not specifically covered by other items of the Work.

M-5 STAFF GAGES

M-5.1 GENERAL

The Contractor shall provide USGS staff gages Type C per Plans. The staff gage shall be 2.5 inches wide, graduated marks every 100th of a foot with numerical marks every foot and every tenth of a foot. The metal plates shall be 18 gauge enameled iron or steel covered with baked-on porcelain enamel finish to resist rust or discoloration. The gage shall have white background with black markings and numbers enamel. The Contractor shall use MLLW datum to specify the markings on the gages per the following table:

Staff Gage Location	Markings (Ft.)	Total Length (Ft.)
Grand Canal	-2.0 to 7.0	9.0
Marina Del Rey	-2.5 to 9.0	11.5

M-5.2 PAYMENT

The lump sump price in the Bid for "STAFF GAGES" shall be considered full compensation for furnishing all labor, materials, tools, and equipment to perform all work of this section not specifically covered by other items of the Work.

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M-6 SUBMITTALS

M-6.1 SHOP DRAWINGS

In addition to Section 2-5.3 of General Section, submittals shall be clearly marked or stamped "Marina Del Rey Tide Gate," with reference to the section of the submitted items. The Contractor shall submit shop drawings of the following items to be furnished, fabricated, or manufactured:

- Slide gate assembly
- Electric motor operator assembly
- Control panel and pressure transducers
- Electrical diagram showing controls and devices integral with the operator
- Control logic diagram
- Pedestal and anchor bolt assembly
- Flap gate assembly
- Stop logs assembly

M-6.2 INSTRUCTION MANUAL AND SUPPORTING INFORMATION

Submittals of supporting information may consist of manufacturer's published brochures, catalog cut sheets, technical bulletins, or product specification sheets. Data shall be specific for the item to be furnished and not general for a line of products.

Computations of gate operating thrust, gate operator selection, stem capacity, and maximum stresses in gate members, including basic assumptions and factor of safety.

M-7 REMOVAL AND SALVAGE OF EXISTING EQUIPMENT

The Contractor shall dismantle and remove the existing equipment per Plans. These equipments shall become the property of the Contractor.

M-8 INSTALLATION OF EQUIPMENT

It shall be the Contractor's responsibility to properly handle, store, and install the gate assembly, gate operator, and accessories in accordance with the manufacturer's instructions and recommendations. Care shall be taken to accurately plumb, shim, and align each component so that tolerances are maintained. All finished contact or bearing surfaces shall be true and exact to insure full and complete contact.

M-9 TESTING AND ADJUSTING

Prior to acceptance of the Work, the Contractor shall coordinate with the Agency representative to schedule an operational test of the slide gate and operator.

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All mechanisms shall be properly lubricated prior to testing. The gate seats and wedges shall be coated with a light grease, and the gate stem shall be thoroughly cleaned and greased with Shell Alvania 2EP, Mobilux Grease 2EP, or equal prior to testing and initial operation.

The Contractor shall be responsible for properly setting of the gate operator's opening and closing position limit switches in accordance with the manufacturer's recommendation.

During the test, the Contractor shall operate the gate through one complete opening and closing cycle. If there is any evidence of binding, unusual noise, or any condition which prevents proper operation, the Contractor shall correct the condition to the satisfaction of the Agency. The test shall also demonstrate the satisfactory operation of the gate operator declutching system, manual handwheel, manual to electric reengagement, position limit switches, and position indicator.

The Contractor shall demonstrate the ability to remove and install the stop logs with the lifting device provided by the stop logs manufacturer.

M-10 TEMPORALLY FLAP GATE SUPPORT

M-10.1 GENERAL

The Contractor shall construct a temporarily lifting and support mechanism for the flap gate to allow for the tidal exchange during Stage 2 construction. The temporarily flap gate support shall be construct per drawing Sheet S-07.

M-10.2 PAYMENT

The lump sump price in the Bid for "TEMPORALLY FLAP GATE SUPPORT" shall be considered full compensation for furnishing all labor, materials, tools, and equipment to perform all work of this section not specifically covered by other items of the Work.

M-11 SPARE PARTS

M-11.1 GENERAL

The Contractor shall provide the following equipments for spare parts:

Item No.	Description	Qty.
1	Electric Motor Operator (EMO)	2
2	Hinges assembly for flap gate	4

MARINA DEL REY TIDE GATES REHABILITATION

M-11.2 PAYMENT

The lump sump price in the Bid for "SPARE PARTS" shall be considered full compensation for furnishing all labor, materials, tools, and equipment to perform all work of this section not specifically covered by other items of the Work.

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SPECIAL PROVISIONS

SECTION S – STRUCTURAL

The following Special Provisions supplement and amend the Standard Specifications for Public Works Construction 2006 Edition and the Additions and Amendments to the Standard Specifications for Public Works Construction 2006 Edition, dated June 2006. As a reference convenience, these Special Provisions have been arranged into a format which parallels the Standard Specifications.

Pre-bid inquiries regarding the work covered in this Section should be directed to Mr. Scott Gregowske at (626) 458-7887.

Upon request, the Department can provide contract information in alternate formats or make other accommodations for people with disabilities. To request accommodations, or for more information on the Americans with Disabilities Act (ADA), please contact our ADA Coordinator, at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7:00 a.m. to 5:30 p.m.



Prepared By:

A handwritten signature in black ink, appearing to be "S. D. Gregowske", written over a horizontal line.

03-28-07

Date

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SECTION S - STRUCTURE

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SECTION 201 - CONCRETE, MORTAR AND RELATED MATERIALS

201-1 PORTLAND CEMENT CONCRETE.

201-1.1 Requirements.

201-1.1.3 Concrete Specified by Special Exposure. Add the following:

The concrete used in all structures shall be of class 750-CSE-5000 P.

201-2 REINFORCEMENT FOR CONCRETE.

201-2.2 Steel Reinforcement.

201-2.2.1 Reinforcing Steel. Add the following:

All reinforcing bars shall be low-alloy steel deformed bars conforming to the requirements in ASTM Designation: A 706/A 706M.

Add the following subsection:

201-2.2.4 Epoxy -coated Reinforcement.

Bar reinforcement to be epoxy-coated shall conform to the requirements in ASTM Designation and grade required or permitted by 201-2.2.1. The epoxy-coated bar reinforcement shall conform to the requirements in ASTM Designation: A 775/A775M, except as provided herein. Fabrication and jobsite handling of the epoxy-coated bar reinforcement shall conform to the requirements of ASTM Designation: D 3963/D 3963M, except as provided herein.

The Contractor shall provide one of the following epoxy powders or equal as provided in Subsection 4-1.6:

3M Company
Scotchkote 413 & 426
(800) 722-6721

DuPont Powder Coatings, USA
NAP-GUARD 7-2719
(713) 939-4000

Appendices X1, "Guidelines For Job-Site Practices," of ASTM Designations: A 775/A 775M and A 884/A 884M shall apply except as provided herein. The term "shall" shall replace the term "should" in these appendices. Sections X1.2 shall not apply.

When any portion of a reinforcing bar or wire requires epoxy coating, the entire bar or wire shall be coated.

Within areas where epoxy-coated reinforcement is required, tie wire and bar chairs or

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other metallic devices used to secure or support the reinforcement shall be plastic-coated or epoxy-coated to prevent corrosion of the devices or damage to the coated reinforcement.

At the request of the Engineer, two 30-inch long samples of coated bar or wire reinforcement from each size and from each load shipped to the jobsite shall be furnished to the Engineer for testing. These samples shall be representative of the material furnished. These samples, as well as any additional random samples taken by the Engineer, may be tested for specification compliance. Additional sampling, and tests performed by the Engineer, may be performed at any location deemed appropriate by the Engineer. Failure of any sample to meet the requirements of the specifications will be cause for rejection.

If any bar or wire reinforcement tested for coating thickness or for flexibility of coating fails to meet the requirements for coated bars in Section 8 of ASTM Designation: A 775/A 775M or A 884/A 884M, respectively, 2 retests on random samples taken from bars represented by the failed test will be conducted for each failed test. If the results of both retests meet the specified requirements, the coated bars represented by the samples may be certified as meeting the test requirements.

Epoxy-coated reinforcement shall be covered with an opaque polyethylene sheeting or other suitable protective material to protect the reinforcement from exposure to sunlight, salt spray and weather. For stacked bundles, the protective covering shall be draped around the perimeter of the stack. The covering shall be adequately secured; however, it should allow for air circulation around the reinforcement to prevent condensation under the covering. Epoxy-coated reinforcement shall not be stored within 1,000 feet of ocean or tidal water for more than 2 months.

Visible damage to the coatings caused by shipping, handling or installation shall be repaired as required for repairing coating damaged prior to shipment as specified in ASTM Designation: A 775/A 775M for bar reinforcement. When the extent of coating damage prior to repair exceeds 2 percent of the bar or wire surface area in any 300-mm {one-foot} length, repair of the bar or wire will not be allowed and the coated bar or wire will be rejected.

The patching material and process shall be suitable for field application. The patching material shall be prequalified as required for the coating material and shall be either identified on the container as a material compatible with the bar reinforcement coating, or shall be accompanied by a Certificate of Compliance certifying that the material is compatible with the bar reinforcement coating. Damaged areas shall be patched in accordance with the patching material manufacturer's recommendations. If damage to a bar occurs during field bending, the area shall be patched immediately with the prequalified patching material.

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SECTION 206 – MISCELLANEOUS METAL ITEMS

206-1 STRUCTURAL STEEL, RIVETS, BOLTS, PINS, AND ANCHOR BOLTS.

206-1.2 Structural Steel. Add the following subsection:

206-1.2.4 Structural Stainless Steel.

All materials designated as stainless steel shall be Type 316 and shall conform to the requirements of ASTM A 276.

206-1.4 Bolts. Add the following subsection:

206-1.4.4 Structural Stainless Bolts.

All fasteners and anchor rods designated as stainless steel shall be Type 316 and shall conform to the requirements of ASTM F 593. The bolts and anchor rods shall be long enough to extend entirely through the nut but not more than 1/2 inch beyond. All fasteners and anchor bolts shall include washer and lock nut unless otherwise specified. All stainless steel nuts shall conform to the requirements of ASTM F 594.

Add the following Section:

SECTION 215 – FIBERGLASS REINFORCED PLASTICS

215-1 GENERAL.

215-1.1 Design Requirements.

The design requirements for the Fiberglass Reinforced Plastics (FRP) products shall comply with OSHA-29 CFR as it pertains to worker safety and walking-working surfaces for ladders, handrails, and platforms.

FRP members shall conform to the dimensions and requirements shown on the plans, and shall meet the following strength requirements:

- 1) FRP grating for platform walkway shall support a minimum uniform load of 125 lbs. per square foot for a 2 foot span. Deflection shall not exceed 1/4 inch.
- 2) FRP structural shapes for platform walkway shall support all applicable loads. Deflection shall not exceed L/D of 180.
- 3) FRP grating for the outlet trash rack shall support a minimum uniform load of 800 lbs. per square foot for a 2 foot span.
- 4) FRP grating for the inlet trash rack shall support a minimum uniform load of 300 lbs. per square foot for a 3 foot span.

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215-1.2 Submittal.

The Contractor shall submit to the Engineer the manufacturer's shop drawings of all the fabricated gratings and structural shapes clearly showing material sizes, types, styles, part or catalog numbers, complete details for the fabrication of and erection of components including, but not limited to, location, lengths, type and sizes of fasteners, clip angles, member sizes, and connection details.

The Contractor shall submit to the Engineer the manufacturer's published literature including structural design data, structural properties data, grating load/deflection tables, corrosion resistance tables, certificates of compliance, test reports as applicable and design calculations for systems not sized or designed in the Plans.

215-1.3 Quality Assurance.

All items to be provided under this Section shall be furnished only by manufacturers having experience in the design and manufacture of similar products and systems. If requested, experience shall be demonstrated by a record of at least five (5) previous, separate, similar, successful installations in the last five (5) years.

Substitution of any component or modification of system shall be allowed when approved by the Engineer.

In addition to requirements of these specifications, the Contractor shall comply with manufacturer's instructions and recommendations for work.

215-1.4 Fabrication.

Measurements: Grating supplied shall meet the minimum dimensional requirements as shown or specified. The Contractor shall provide and/or verify measurements in field for work fabricated to fit field conditions as required by grating manufacturer to complete the work. Determine correct size and locations of required holes or cutouts from field dimensions before grating fabrication.

Each grating section shall be readily removable, except where indicated on drawings. Manufacturer to provide openings and holes where located on the contract drawings. Grating supports shall be provided at openings in the grating by contractor where necessary to meet load/deflection requirements specified herein. Grating openings which fit around protrusions (pipes, cables, machinery, etc.) shall be discontinuous at approximately the centerline of opening so each section of grating is readily removable. Gratings shall be fabricated free from warps, twists, or other defects which affect appearance and serviceability.

Sealing: All shop fabricated grating cuts shall be coated with a resin comparable to grating resin to provide maximum corrosion resistance. All field fabricated grating cuts shall be coated similarly by the contractor in accordance with the manufacturer's instructions.

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215-1.5 Product Delivery and Storage.

All gratings and components shall be shop fabricated. Piece match marked to assembly or erection drawings.

All manufactured materials shall be delivered in original, unbroken pallets, packages, containers, or bundles bearing the label of the manufacturer. Adhesives, resins and their catalysts and hardeners shall be crated or boxed separately and noted as such to facilitate their movement to a dry indoor storage facility.

All materials before, during and after shipment shall be carefully handled to prevent them from abrasion, cracking, chipping, twisting, other deformations and other types of damage. Store items in an enclosed area and free from contact with soil and water. Store adhesives, resins and their catalysts and hardeners in dry indoor storage facilities between 70 and 85 degrees Fahrenheit (21 to 29 degrees Celsius) until they are required.

215-1.6 Inspection.

The grating shall be as free, as commercially possible, from visual defects such as foreign inclusions, delamination, blisters, resin burns, air bubbles and pits.

215-1.7 Installation.

Contractor shall install gratings in accordance with manufacturer's assembly drawings. Lock grating panels securely in place with connections as shown on the Plans and as specified herein.

Field cut and drill fiberglass reinforced plastic products with carbide or diamond tipped bits and blades. Seal cut or drilled surfaces in accordance with manufacturer's instructions. Follow manufacturer's instructions when cutting or drilling fiberglass products or using resin products; provide adequate ventilation.

Install items specified as indicated and in accordance with manufacturer's instructions.

215-2 FIBERGLASS REINFORCED PLASTIC PRODUCTS.

215-2.1 General.

All FRP items furnished under this Section shall be composed of fiberglass reinforcement and resin in qualities, quantities, properties, arrangements and dimensions as necessary to meet the design requirements and dimensions as specified in the Contract Documents.

Fiberglass reinforcement for molded and pultruded grating shall be continuous roving. Additionally for pultruded gratings, reinforcements shall include a combination of continuous strand mat and surfacing veils. All reinforcements shall be in sufficient quantities as needed by the application and/or physical properties required.

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Resins shall be VINYL ESTER with chemical formulations as necessary to provide the corrosion resistance, strength and other physical properties as required.

All finished surfaces of FRP items and fabrications shall be smooth, resin-rich, free of voids and without dry spots, cracks, crazes or unreinforced areas. All glass fibers shall be well covered with resin to protect against their exposure due to wear or weathering.

All pultruded components shall be further protected from ultraviolet (UV) light with 1) integral UV inhibitors in the resin and 2) a synthetic surfacing veil to help produce a resin rich surface.

After fabrication, all cut ends, holes and abrasions of FRP grating shall be sealed with a resin comparable to the grating panel.

The Contractor shall provide the required FRP product from the following Manufacturers:

1. American Grating – (800) 266-2258 or (626) 855-1777
2. Creative Pultrusions – (888) 274-7855 or (814) 839-4186
3. Fibergrate Composite Structures Inc. – (800) 527-4043 or (972) 250-1633
4. IKG Industries – (800) 835-8356 or (713) 378-3924
5. Precisioneering - 800-465-1800 or (416) 751-9200
6. Strongwell - (276) 645-8103
7. FRP Grating (650) 372-9968
8. Or approved alternative manufacturer

215-2.2 Molded Grating.

Grating shall be of a one piece molded construction with tops and bottoms of bearing bars and cross bars in the same plane. Grating for platform walkway may have a square mesh pattern or rectangular mesh pattern. Grating for trash racks shall have a square mesh pattern as shown on the Plans. Grating shall be reinforced with continuous rovings of equal number of layers in each direction. The top layer of reinforcement shall be no more than 3/16" below the top surface of the grating so as to provide maximum stiffness and prevent resin chipping of unreinforced surfaces. Percentage of glass (by weight) shall not exceed 40% so as to achieve maximum corrosion resistance, and as required to maintain the structural requirements of 215-1.1.

After molding, no dry glass fibers shall be visible on any surface of bearing bars or cross bars. All bars shall be smooth and uniform with no evidence of fiber orientation irregularities, interlaminar voids, porosity, resin rich or resin starved areas.

Non-slip surfacing: Grating shall be manufactured with a concave profile on the top of each bar providing maximum slip resistance. Secondly applied grit shall be allowed as long as the top surface does not exceed 1/16". Grit molded integrally during the manufacturing process shall be allowed, with the top surface not exceeding 3/16".

The color for all FRP items shall be green, and subject to approval of the Engineer. Grating configuration shall be selected by the Contractor to meet the requirements shown on the Plans and as required in these Special Provisions.

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Substitutions: Other products of equal strength, stiffness, corrosion resistance and overall quality may be submitted with the proper supporting data to the engineer for approval.

215-2.3 Structural Shapes.

The minimum physical properties of FRP structural shapes shall be:

<u>Property</u>	<u>ASTM</u>	<u>Longitudinal Direction</u>	<u>Transverse Direction</u>
Tensile Stress	D-638	30,000 psi	7,000 psi
Tensile Modulus	D-638	2.5 x 10 ⁶ psi	0.8 x 10 ⁶ psi
Compressive Stress	D-695	30,000 psi	15,000 psi
Compressive Modulus	D-695	2.5 x 10 ⁶ psi	1.0 x 10 ⁶ psi
Flexural Stress	D-790	30,000 psi	10,000 psi
Flexural Modulus	D-790	1.8 x 10 ⁶ psi	0.8 x 10 ⁶ psi
Modulus of Elasticity, E	Full Section	2.8 x 10 ⁶ psi	

All structural shapes shall be fabricated per the drawings with good workmanship, closely fitted joints, and finished true to line and in accurate position to permit installation and proper joining of parts in the field.

Use Type 316 stainless steel bolts and washers meeting requirements of 206-1.4.4.

All joint surfaces to be bonded shall be abraded to remove surface gloss and be free of burrs or other foreign materials that would prevent proper adhesion.

Use high-strength epoxy adhesives designed for FRP use and mechanical fasteners.

All pieces to have easily identified part numbers or piece marks, and shop assemble pieces into the largest practical assembly suitable for shipping.

215-2.4 Payment.

Full compensation for furnishing all labor, materials, tools, equipment, falsework, and incidentals, and for doing all the work involved in the installation and fabrication of the catwalk frame, handrail, hatch opening, and ladder, including grating for the catwalk and hatch opening and all connections for the related work, shall be considered as included in the Lump Sum Price for FIBERGLASS CATWALK as shown on the Plans, as specified in these Special Provisions, and as directed by the Engineer.

Full compensation for furnishing all labor, materials, tools, equipment, and incidentals, and for doing all the work involved fabricating and installing fiberglass trash rack panels, complete in place, shall be considered as included in the Contract Unit Price for the Final Pay Quantity for FIBERGLASS TRASH RACK PANEL as shown on the Plans, as specified in these Special Provisions, and as directed by the Engineer.

SECTION 300 - EARTHWORK

300-1 CLEARING AND GRUBBING.

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300-1.3 Removal and Disposal of Materials.

300-1.3.2 Requirements. Add the following subsection:

300-1.3.2(d) Structure Removal.

Structure removal shall include, but not limited to, existing slide gate assembly, electric motor operator, electrical control panels, steel plates covering existing outlets, existing chain-link fence, steel ladder, existing overhang concrete, headwall concrete, wingwall concrete, and steel reinforcement as shown on the plans.

The Contractor shall salvage all removal equipment and components. The equipment and components shall become the property of the Contractor. All removed materials, including salvage and debris, shall be hauled away by the Contractor.

Concrete shall be removed to neatly sawed edges with saw cuts made to a minimum depth of 1 ½ inches.

Any damages to the existing concrete, which is to remain in place, shall be repaired to a condition equal to that prior to the beginning of removal conditions. The cost of repairing the existing concrete damaged by Contractor's operations shall be at its expense.

300-1.4 Payment.

Full compensation for furnishing all labor, materials, tools, equipment, falsework, and incidentals, and for doing all the work involved in structure removal and salvaging materials, complete in place, shall be considered as included in the Lump Sum Price for STRUCTURE REMOVAL as shown on the Plans, as specified in these Special Provisions, and as directed by the Engineer.

300-2 UNCLASSIFIED EXCAVATION.

300-2.1 General. Add the following:

Existing sediment and rip-rap within the limits of the existing Outlet and Inlet inverts shall be considered unclassified excavation.

Existing sediment and rip-rap within the limits of the existing Outlet and Inlet inverts shall be removed and disposed of. Disposal shall conform to the provision of Section 300-2.6.

Care shall be exercised to prevent damage to the existing concrete structure due to excavation activities. Damage to existing structures shall be repaired by the Contractor at its expense.

300-2.9 Payment. Delete the entire section and substitute with the following:

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Full compensation for furnishing all labor, materials, tools, equipment, and incidentals, and for doing all work involved in unclassified excavation, including excavating, loading, disposing of material, stockpiling, and hauling it to its final location, shall be considered as included in the Contract Unit Price for UNCLASSIFIED EXCAVATION as shown on the Plans, and as specified in these Special Provisions, and as directed by the Engineer.

300-3 STRUCTURE EXCAVATION AND BACKFILL.

300-3.2 Cofferdams. Add the following:

The Contractor shall construct cofferdams for diverting the water flow from the work area during the stage construction. For Stage One, cofferdams shall be constructed at both the inlet and outlet structures around the flap gate discharge line to facilitate the removal of CSP debris, installation of flap gate, and removal and construction of concrete structures. For Stage Two, cofferdams shall be constructed at both the inlet and outlet structures around the two slide gate discharge lines to facilitate the removal of CMP debris, installation of slide gates, and removal and construction of concrete structures. At all times, a minimum of one discharge line shall remain open for tidal exchange between the inlet and outlet structures.

The Contractor shall, in accordance with 2-5.3, submit drawings showing the proposed method of cofferdam construction and other details left open to choice or not fully shown on the Plans. The type and clearance of cofferdams, insofar as such details affect the character of the finished work, will be subject to the approval of the Engineer, but other details of design will be left to the Contractor, who shall be responsible for the successful construction of the work.

All cofferdams shall be within the limits of the existing inlet / outlet structure aprons unless otherwise approved by the Engineer. No water outside of the cofferdams shall be contaminated during construction and operation of the cofferdams. All cofferdams shall be completely removed upon completion of work.

300-3.6 Payment. Delete the entire section and substitute with the following:

Full compensation for furnishing all labor, materials, tools, equipment, and incidentals, and for doing all work involved in cofferdams for Stage One and Stage Two construction, including installation, pumping, maintenance, and removal, shall be considered as included in the Lump Sum Price for COFFERDAM as shown on the Plans, and as specified in these Special Provisions, and as directed by the Engineer.

SECTION 303 - CONCRETE AND MASONRY CONSTRUCTION

303-1 CONCRETE STRUCTURES.

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303-1.11 Payment.

Full compensation for furnishing all labor, materials, tools, equipment, falsework, and incidentals, and for doing all work involved in all concrete structures, complete in place, shall be considered as included in the Contract Unit Price for the Final Pay Quantity for STRUCTURE CONCRETE as shown on the Plans, and as specified in these Special Provisions, and as directed by the Engineer.

No allowance will be made for the weight of epoxy coating in computing the weight of epoxy-coated bar reinforcing steel to be paid for.

Full compensation for furnishing all labor, materials, tools, equipment, and incidentals, and for doing all work involved in reinforcing steel, complete in place, shall be considered as included in the Contract Unit Price for the Final Pay Quantity for BAR REINFORCING STEEL (EPOXY COATED) as shown on the Plans, and as specified in these Special Provisions, and as directed by the Engineer.

Add the following subsections:

303-1.13 Drill and bond dowel (Epoxy Adhesive).

Drilling and bonding dowels or threaded rods with epoxy cartridge systems shall conform to the details shown on the Plans and the requirements in these Special Provisions.

Reinforcing steel dowels shall conform to the provisions of Section 201-2 and the requirements in these Special Provisions.

Threaded anchor rods shall be AISI 316 stainless steel, meeting the requirements of ASTM F 593, and conforming to the provisions of Section 206-1, and these Special Provisions.

The epoxy cartridge system is required to comply with the testing requirements of the International Conference of Building Officials (ICBO) document - AC58. The Contractor shall provide one of the following epoxy cartridge systems or equal as provided in Subsection 4-1.6:

Hilti
RE 500 & HSE 2421
(415) 507-1690

Simpson Strong Tie
SET 22 & SET56
(510) 460-9912

The epoxy cartridge system used shall be appropriate for the ambient concrete temperature and installation conditions at the time of installation in conformance with the manufacturer's specifications.

Each epoxy cartridge shall be clearly and permanently marked with the manufacturer's name, model number of the epoxy cartridge system, manufacturing date,

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and lot number. Each carton of epoxy cartridges shall contain the manufacturer's recommended installation procedures, minimum cure time, and such warning or precautions concerning the contents as may be required by State or Federal Laws and Regulations.

The holes shall be drilled by methods that will not shatter or damage the concrete adjacent to the holes. If reinforcement is encountered during drilling, before the specified depth is attained, the Engineer shall be notified. Unless the Engineer approves, in writing, coring through the reinforcement, the hole will be rejected and a new hole, in which reinforcement is not encountered, shall be drilled adjacent to the rejected hole to the depth recommended by the manufacturer.

The drilled holes shall be cleaned in conformance with the manufacturer's instructions and shall be dry at the time of placing the epoxy cartridge bonding material and the steel dowels. The bonding material shall be a 2-component epoxy system contained in a cartridge having 2 separate chambers and shall be inserted into the hole using a dispensing gun and replaceable mixing nozzle approved by the manufacturer. Unless otherwise specified, the depth of hole and the installation procedure shall be as recommended by the manufacturer. A copy of the manufacturer's recommended installation procedure shall be provided to the Engineer at least 2 days prior to the start of work.

Immediately after inserting the dowels into the epoxy, the dowels shall be supported as necessary to prevent movement during curing and shall remain undisturbed until the epoxy has cured a minimum time as specified by the manufacturer. Dowels that are improperly bonded, as determined by the Engineer, will be rejected. Adjacent new holes shall be drilled, and new dowels shall be placed and securely bonded to the concrete. All work necessary to correct improperly bonded dowels shall be performed at the Contractor's expense.

303-1.13.1 Payment.

Dowels to be bonded into drilled holes will be measured and paid for as BAR REINFORCING STEEL (EPOXY COATED). Threaded rods to be bonded into drilled holes will be measured and paid for as MISCELLANEOUS METAL.

The quantity of drill and bond (epoxy adhesive) shall be calculated for payment on the basis of length of drilled hole, in accordance with the Plans and approved changes.

Full compensation for furnishing all labor, materials (except dowels and threaded rods), tools, equipment, and incidentals, and for doing all the work involved in drilling the holes and bonding dowels and threaded rods with epoxy adhesive, including coring through reinforcement when approved by the Engineer, complete in place, shall be considered as included in the Contract Unit Price for DRILL AND BOND (EPOXY ADHESIVE) as shown on the Plans, and as specified in these Special Provisions, and as directed by the Engineer.

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SECTION 304 – METAL FABRICATION AND CONSTRUCTION

304-1 STRUCTURAL STEEL.

303-1.9 Welding. Add the following:

All welding of stainless steel shall conform to the requirements of the Structural Welding Code AWS D1.6, and these specifications. Welders, welding operators, and tackers shall be prequalified in accordance with the specifications of AWS D1.6 and shall produce written evidence of qualification satisfactory to the Engineer.

303-1.12.4 Payment. Add the following:

Full compensation for furnishing all labor, materials, tools, equipment, and incidentals, and for doing all the work involved in fabrication and installation of stainless steel structural members for the outlet and inlet trash rack, shall be considered as included in the Contract Unit Price for the Final Pay Quantity for STRUCTURE STEEL as shown on the Plans, and as specified in these Special Provisions, and as directed by the Engineer.

Full compensation for furnishing all labor, materials, tools, equipment, and incidentals, and for doing all the work involved furnishing and installing the miscellaneous metal, including stainless steel bolts, threaded rods, nuts, and washers, complete in place, shall be considered as included in the Contract Unit Price for the Final Pay Quantity for MISCELLANEOUS METAL as shown on the Plans, and as specified in these Special Provisions, and as directed by the Engineer.

304-3 CHAIN LINK FENCE.

304-3.4 Measurement and Payment. Delete the entire section and substitute with the following:

Full compensation for furnishing all labor, materials, tools, equipment, and incidentals, and for doing all the work involved in constructing chain link fence and gates, including post pocket reinforcement, rails and fabric which covers the top of the fence, complete in place, shall be considered as included in the Lump Sum Price for the Final Pay Quantity for CHAIN LINK FENCE as shown on the Plans, and as specified in these Special Provisions, and as directed by the Engineer.

SECTION 500 - PIPELINE

500-1 PIPELINE REHABILITATION.

500-1.1 Requirements.

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500-1.1.9 Measurement and Payment. Add the following:

Full compensation for furnishing all labor, materials, tools, equipment, and incidentals, and for doing all the work involved in pipeline rehabilitation, including, furnishing and installing all fittings, connections, and seals, pipeline cleaning, inspection and leak testing, control of water, placing and joining of pipe, all annular grouting and necessary concrete forms and false work, and all other work necessary for pipeline rehabilitation, complete in place, shall be considered as included in the Lump Sum Price for PIPELINE REHABILITATION as shown on the Plans, and as specified in these Special Provisions, and as directed by the Engineer.

500-1.8 Centrifugally Cast Fiberglass Reinforced Plastic Mortar (CCFRPM) Liner Pipe.

500-1.8.1 General. Delete the second sentence and add the following:

Unless otherwise indicated, the minimum pipe stiffness shall be 46 psi, or greater, as tested in accordance with ASTM D2412.

The pipe liner shall have a minimum inside diameter of 72 inches with a maximum outside diameter of 75.5 inches.

The pipe will have flush or low profile style slip lining joints.

The liner pipe will be braced on the top to prevent the liner pipe from floating during the grouting operation.

The annular space at the ends of the pipe liner and host pipe shall be sealed and grouting tubes installed on the top of the pipelines and run up to the street surface to prevent spilling.

Drain tubes shall be installed near the bottom of the annular space so trapped seawater can be pumped out.

Seawater trapped between the outside of the host pipe and the inside of the liner pipe shall be pumped out through the drain tubes installed during the pipe lining installation.

Well points or ground freezing shall be installed to prevent water from flowing through the open joints and holes in the host pipe before the grouting is started.

500-1.8.2 Material Composition. Delete the sixth sentence and add the following:

Designation per ASTM D 3262 shall be Type 1, Liner 2, Grade 3, and a minimum pipe stiffness of 46 psi, unless a higher value is indicated on the Plans or in the Specifications.

500-1.8.6 Installation and Field Inspection. Add the following:

The completed pipeline shall be inspected using digital video, laser, photographic, and sonar sensors to provide a post lining inspection baseline.

MARINA DEL REY TIDE GATES REHABILITATION

Add the following section:

500-3 ANNULAR SPACE GROUTING.

500-3.1 Requirements.

500-3.1.2 Preparation. Add the following:

The seawater forced out of the annular space during the grouting operation shall be pumped out onto vessels and properly disposed of.
The grouting shall be installed in approximately four lifts.

EXHIBIT B

RECORDING REQUESTED BY & MAIL TO

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Space above this line for Recorder's use

THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT TO SECTION 27383 OF THE GOVERNMENT CODE

THIS DOCUMENT IS EXEMPT FROM DOCUMENTARY TRANSFER TAX PURSUANT TO SECTION 11922 OF THE REVENUE AND TAXATION CODE

TAX PARCEL:

QUITCLAIM AND EASEMENT DEED

The **COUNTY OF LOS ANGELES, a body corporate and politic**, hereinafter referred to as "County", for valuable consideration receipt of which is hereby acknowledged does hereby grant to the **CITY OF LOS ANGELES, a municipal corporation**, hereinafter referred to as "Grantee", all of the County's right, title and interest in and to that certain tidegate, including all pipes running through the tidegate and all other appurtenances, located in the rock revetted bank bordering the northern side of the entrance channel of the Marina, underneath Via Marina, at the southern end of the Ballona Lagoon (said tidegate to be hereinafter referred to as "Marina Tidegate" and said revetted bank to be referred to hereinafter as the "Sea Wall"), more particularly described in Exhibit "A" attached hereto and incorporated herein, along with a non-exclusive easement in, under and through the COUNTY's real property, including the Sea Wall, to operate, maintain, repair and replace the Marina Tidegate or any replacement tidegate in its present location, including the right of ingress and egress (hereinafter referred to as the "Easement").

Subject to all matters of record and to the following reservations and conditions which Grantee by the acceptance of this deed agrees to keep and perform viz:

- a. Covenants, conditions, restrictions, reservations, easements, rights, and rights-of-way of record, if any.
- b. Grantee shall indemnify, defend and hold harmless County, and its Special Districts, elected and appointed officers, employees, and agents from and against any and all liability, including but not limited to demands, claims, actions, fees, costs, and expenses (including attorney and expert witness fees), arising from or connected with the acts and/or omissions of either the Grantee or the Grantee's employees, contractors, agents, representatives, successors or assignees arising from and/or relating to the Grantee's ownership and operation of the Marina Tidegate and the exercise of any rights granted to it by this instrument.
- c. It is expressly understood that the County will not be called upon to construct, repair, maintain, or reconstruct any structure or improvement to be erected or constructed pursuant to this instrument.
- d. Grantee shall obtain County's prior written approval for any material changes to the physical structure of the Marina Tidegate or any replacement tidegate, including its relocation and/or abandonment. The County's approval shall not be unreasonably withheld and will be

presumed if it fails to respond to a written request for such approval from the Grantee within sixty (60) days. Grantee shall bear all costs associated with any refurbishment, repair, replacement, relocation or abandonment of the Marina Tidegate or any replacement tidegate, including reimbursement of any County costs incurred as a result of any impacts to the Sea Wall. Grantee shall be solely responsible for obtaining all necessary approvals and permits from the appropriate jurisdictional authorities, including, but not limited to, the California Coastal Commission and the U.S. Army Corps of Engineers, for all such work.

- e. The Easement shall automatically terminate, without the necessity for Grantor or Grantee to take any further action, upon Grantee's abandonment of the Marina Tidegate or any replacement tidegate. Thereafter, Grantee shall have no further rights pursuant to the Easement. The provisions and conditions contained in the Easement shall be binding upon Grantee, its successors and assigns.
- f. County reserves the right to use the Easement for any and all purposes consistent with enjoyment of the Easement by Grantee as provided for herein.

Dated _____

COUNTY OF LOS ANGELES

COLA LOG NO. _____

By _____
GLORIA MOLINA
Chair, Board of Supervisors

STATE OF CALIFORNIA))
) ss.
COUNTY OF LOS ANGELES)

On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code which authorized the use of facsimile signatures of the Chairperson of the Board on all papers, documents, or instruments requiring said signature.

The undersigned hereby certifies that on this _____ day of _____, 2010, the facsimile signature of _____, Chair of the Board of Supervisors of the County of Los Angeles was affixed hereto as the official execution of this document. The undersigned further certifies that on this date, a copy of the document was delivered to the Chairperson of the Board of Supervisors of the County of Los Angeles.

In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.

SACHI A. HAMAI, Executive Officer
Board of Supervisors, County of Los Angeles

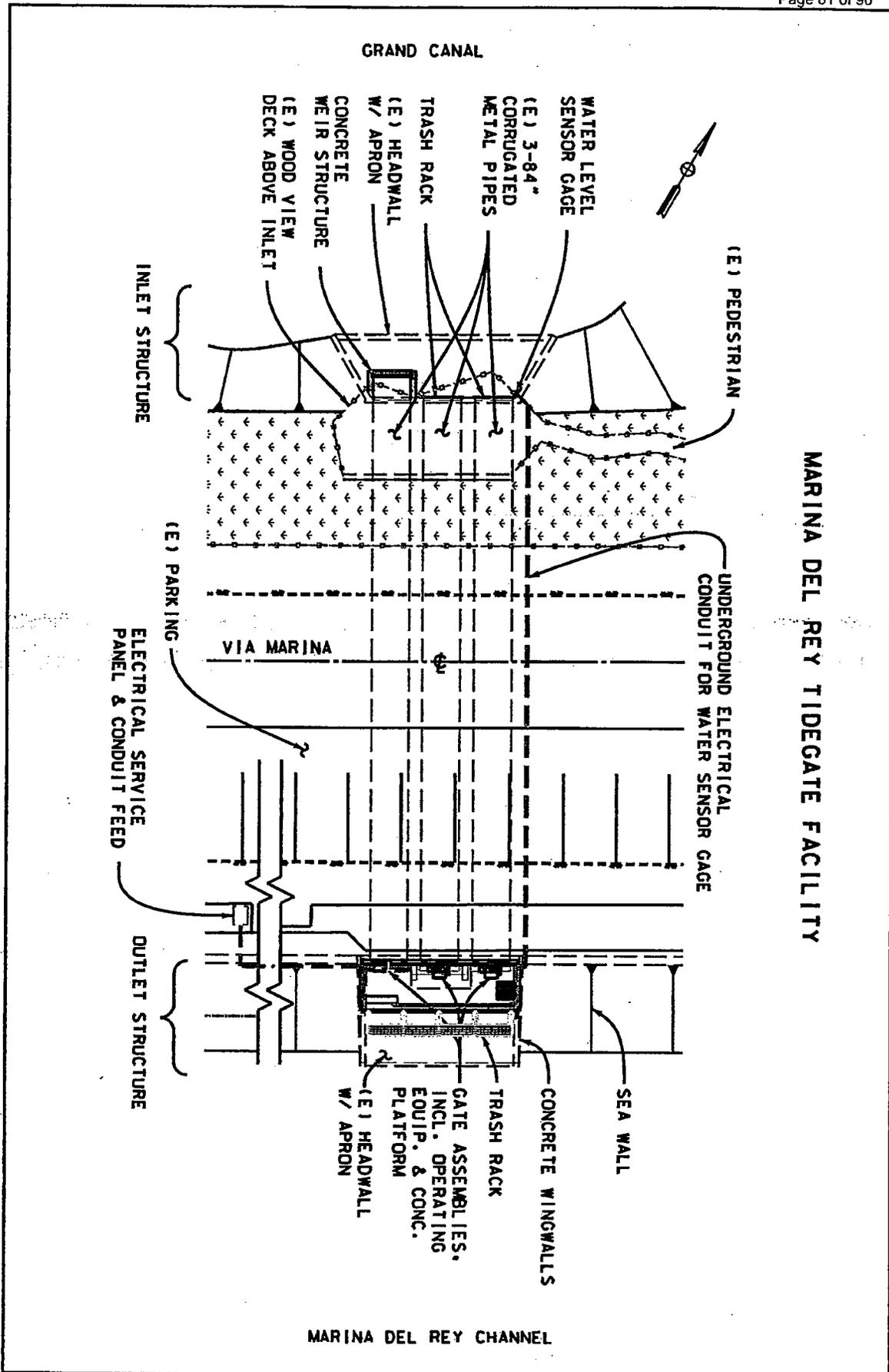
By _____
Deputy

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

By _____
Deputy

(deed).1



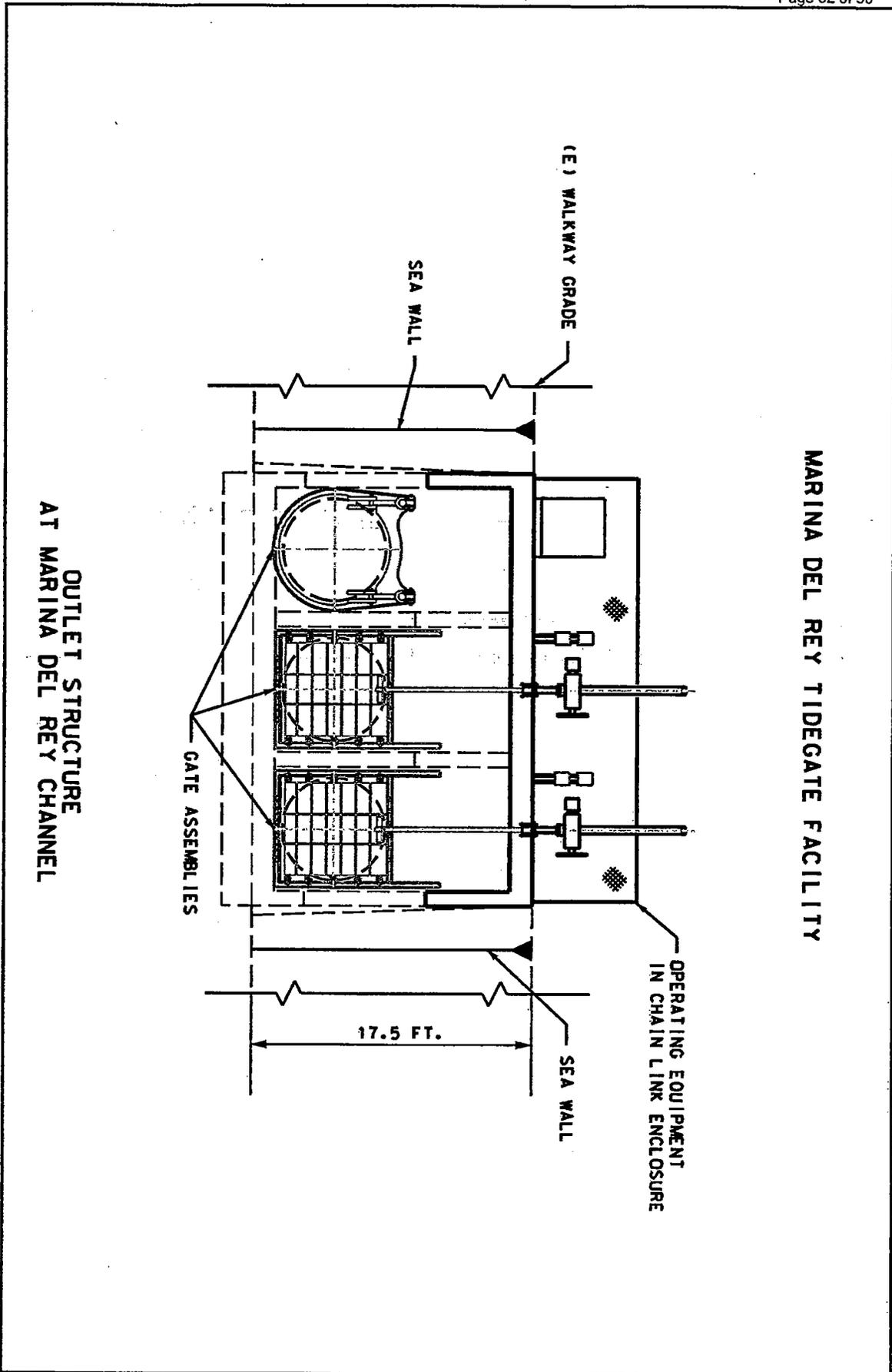


EXHIBIT C

RECORDING REQUESTED BY & MAIL TO

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Space above this line for Recorder's use

THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT TO SECTION 27383 OF THE GOVERNMENT CODE

THIS DOCUMENT IS EXEMPT FROM DOCUMENTARY TRANSFER TAX PURSUANT TO SECTION 11922 OF THE REVENUE AND TAXATION CODE

TAX PARCEL:

QUITCLAIM DEED

The **COUNTY OF LOS ANGELES**, a body corporate and politic, hereinafter referred to as "County", for valuable consideration receipt of which is hereby acknowledged does hereby grant to the **CITY OF LOS ANGELES**, a municipal corporation, hereinafter referred to as "Grantee", all of the County's right title and interest in and to that certain easement for tidegate and road purposes recorded as O.R. D258-929, on October 28, 1958, as fully set forth and attached hereto as Exhibit "A".

Subject to all covenants, conditions, restrictions, reservations, easements, rights, and rights-of-way of record, if any.

Dated _____

COUNTY OF LOS ANGELES

COLA LOG NO. _____

By _____
GLORIA MOLINA
Chair, Board of Supervisors

STATE OF CALIFORNIA))
) ss.
COUNTY OF LOS ANGELES)

On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code which authorized the use of facsimile signatures of the Chairperson of the Board on all papers, documents, or instruments requiring said signature.

The undersigned hereby certifies that on this _____ day of _____, 2010, the facsimile signature of _____, Chair of the Board of Supervisors of the County of Los Angeles was affixed hereto as the official execution of this document. The undersigned further certifies that on this date, a copy of the document was delivered to the Chairperson of the Board of Supervisors of the County of Los Angeles.

In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.

SACHI A. HAMAI, Executive Officer
Board of Supervisors, County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

By _____
Deputy

(deed).1

2

IN RE ONE HUNDRED AND FIFTIETH STREET IN
THE SOUTH LOS ANGELES AREA,
SECOND SUPERVISORIAL DISTRICT: ORDER
AUTHORIZING CHANGE OF NAME TO 149th STREET.

MINUTE BOOK 458
Page 45
April 1, 1958

STREET NAME CHANGE NO. 203

On motion of Supervisor Hahn, unanimously carried, and in accordance with a recommendation by the County Engineer, it is ordered that the name of ONE HUNDRED and FIFTIETH STREET as shown on Map of Tract No. 8684, recorded in Book 145, Pages 65 and 66 of Maps, in the office of the Recorder of the County of Los Angeles, be and the same is hereby changed to 149th STREET. Copied by Marilyn Cox, Oct. 22, 1958; Cross Ref by [unclear] Delineated on [unclear]

Recorded in Book D 258 Page 929, O.R., October 28, 1958; #4122

Grantor: Hughes Tool Company, a Delaware corporation

Grantee: County of Los Angeles

Nature of Conveyance: Quitclaim

Date of Conveyance: October 14, 1958

Granted for: Tide Gate and Road

Search:

Description: An easement with right, privilege and authority to construct, maintain and operate a tide gate and road by grading or filling or doing any other act necessary for said construction, operation and maintenance in, upon, over and across the following described property:

That portion of Lot C, Del Rey Beach, as shown on map recorded in Book 6, page 186, of Maps, in the office of the Recorder of the County of Los Angeles, that portion of Esplanade, 16 feet wide, as shown on said map, and that portion of Back Bay Place, 10 feet wide, shown as unnamed street on said map, all in the City of Los Angeles, County of Los Angeles, State of California, within the following described boundaries:

Beginning at a point in the southeasterly line of Lot 18, Block 5, said Del Rey Beach, distant northeasterly thereon 64.00 feet from the most southerly corner of said Lot 18; thence northerly in a direct line to the intersection of the northeasterly line of said Back Bay Place, with a line parallel with and 52 feet northwesterly, measured at right angles, from a straight line which passes through the most easterly corner of said Lot 18 and which passes through the most southerly corner of Lot 5, Block 17, said Del Rey Beach, thence northeasterly along said parallel line to the southwesterly boundary of said Esplanade; thence southeasterly in a direct line to the most southerly corner of said Lot 5; thence southwesterly on and along a direct line to the most easterly corner of said Lot 18; thence southwesterly along the southeasterly line of said Lot 18 to the point of beginning, in accordance with map dated June 9, 1958, identified as I.M. 23(B-4), 4th Sup. Dist., a copy of which is on file with both parties hereto.

SUBJECT TO rights of way, easements, covenants, conditions, restrictions, reservations, dedications, limitations and/or rights of any kind which are now established or existing/

The following terms and conditions: (Not copied)

Copied by Joyce, Dec. 10, 1958; Cross Ref. by blanco
Delineated on M.S. 6-186

Tide Gate and Road

*D 258-929
4122 10-28-58*

EASEMENT

4122

THIS INDENTURE, made this 14 day of October, 1958
by and between Hughes Tool Company, a Delaware Corporation, herein-
after referred to as "Hughes", and the County of Los Angeles, a body
corporate and politic, of the State of California, hereinafter re-
ferred to as "County".

FREE 4 G

WITNESSETH:

WHEREAS, Hughes owns certain land hereinafter described
adjacent to the Marina Del Rey Channel entrance, and,

WHEREAS, County is desirous of securing an easement for the
construction of a tide gate and road on said property, and,

WHEREAS, Hughes is willing to grant such easement to County,
subject to certain terms and conditions:

NOW THEREFORE, for and in consideration of the premises con-
tained herein and for other good and valuable consideration, receipt
of which is hereby acknowledged, Hughes Tool Company, a Delaware
corporation, hereby Remises, Releases and Quit Claims to the County
of Los Angeles, a body corporate and politic, of the State of Calif-
ornia, an easement with right, privilege and authority to construct,
maintain and operate a tide gate and road by grading or filling or
doing any other act necessary for said construction, operation and
maintenance in, upon, over and across the following described
property:

That portion of Lot C, Del Rey Beach, as shown on map re-
corded in Book 6, page 186, of Maps, in the office of the
Recorder of the County of Los Angeles, that portion of
Esplanade, 16 feet wide, as shown on said map, and that
portion of Back Bay Place, 10 feet wide, shown as unnamed
street on said map, all in the City of Los Angeles, County
of Los Angeles, State of California, within the following
described boundaries:

RECORDED BY AND MAIL TO
County of Los Angeles
County Clerk's Office
11/12

RECORDED IN OFFICIAL RECORDS
OF LOS ANGELES COUNTY, CALIF.
Min. 2 P.M. OCT 28 1958
MAY E. LEE, COUNTY RECORDER

NAME and ADDRESS must be shown
on document to return by mail.

D 258-929
4122 10-28-58

Beginning at a point in the southeasterly line of Lot 18, Block 5, said Del Rey Beach, distant northeasterly thereon 64.00 feet from the most southerly corner of said Lot 18; thence northerly in a direct line to the intersection of the northeasterly line of said Back Bay Place, with a line parallel with and 52 feet northwesterly, measured at right angles, from a straight line which passes through the most easterly corner of said Lot 18 and which passes through the most southerly corner of Lot 5, Block 17, said Del Rey Beach, thence northeasterly along said parallel line to the southwesterly boundary of said Esplanade; thence southeasterly in a direct line to the most southerly corner of said Lot 5; thence southwesterly on and along a direct line to the most easterly corner of said Lot 18; thence southwesterly along the southeasterly line of said Lot 18 to the point of beginning, in accordance with map dated June 9, 1958, identified as I.M.23(B-4), 4th Sup. Dist., a copy of which is on file with both parties hereto.

Subject to rights of way, easements, covenants, conditions, restrictions, reservations, dedications, limitations and/or rights of any kind which are now established or existing,

upon the following terms and conditions:

(1) As part consideration hereof, County agrees to indemnify Hughes against and save harmless from any and all loss or damage to property which may result, directly or indirectly, including without limitation, damage to property of Hughes, by reason of the construction, maintenance, use or operation of said tide gate and road, and to indemnify, protect, defend and save harmless Hughes against all actions, suits, proceedings, losses, claims, demands, liabilities, damages and expenses (including court costs and attorney's fees) which Hughes may incur or suffer, incident to, arising from or growing out of the rights and privileges herein conveyed.

(2) As a further consideration for the said Easement and right of way County agrees, upon the completion of said construction, to fill and grade Lot 5 of Block 17, Del Rey Beach Tract, to the same elevation as that of the intersection of 56th Avenue and Pacific Avenue, at Marina Del Rey, provided that, however, upon the completion of said filling and grading of said Lot 5, all liability, responsibility and obligation upon County with respect thereto shall cease.

(3) As a further consideration for the said Easement, the County agrees that in the event Hughes shall at any time fill its land to the north of said property hereinabove described, Hughes may connect a drain or culvert under such filled land to any drain or culvert installed by the County under the easement conveyed herein, provided that the engineering plans for such connection shall be subject to the approval of the County Engineer.

(4) Hughes saves, excepts and reserves to itself, and its successors and assigns, the right and easement to use said road over, upon and across said lands herein conveyed at any time or times, subject to the laws and regulations applicable thereto of Governmental agencies which have jurisdiction thereof, together with the right for the agents, servants, employees, licensees and invitees of Hughes to pass and repass thereover for any and all purposes. The failure of Hughes to exercise said easement for any one or more of the purposes for which the same is saved, reserved and excepted for any period of time, shall not in any manner or degree be deemed or construed as an abandonment of said easement, or surrender of any of Hughes rights or privileges hereunder, and said easement shall run with the real estate of Hughes and shall be available to Hughes, its successors and assigns, lessees and tenants for each and all of the purposes for which the same is saved, reserved and excepted at any time or times in the future.

(5) This instrument and all its terms and conditions shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns. County upon acceptance of this easement, thereby accepts and shall be, and is thereby, bound by all the terms, conditions and provisions of this instrument.

IN WITNESS WHEREOF, Hughes Tool Company has caused this instrument to be executed by its corporate officers thereunto duly

authorized and its corporate seal to be hereunto affixed this 14
day of October, 1958.

HUGHES TOOL COMPANY

By: Colm A. Lesman
Vice President

By: Ray H. Wood
Assistant Secretary

State of California }
County of Los Angeles } SS.

On this 14th day of October, 1958, before me Arthur J. ...
a Notary Public in and for the County of
Los Angeles, State of California, residing therein, duly commissioned
and sworn, personally appeared Colm A. Lesman known to me
to be the Vice President, and Ray H. Wood known to me
to be the Assistant Secretary of the Corporation named in and which
executed the foregoing instrument, known to me to be the persons
who executed the foregoing instrument, on behalf of said Corporation,
and they acknowledged to me that such Corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year in this certificate first above
written.

Arthur J. ...
Notary Public in and for said
County and State
My Commission Expires Dec. 8, 1958

The foregoing indenture is accepted by the County of Los
Angeles, by order of its Board of Supervisors, subject to all the
terms and conditions therein set forth and said County of Los Angeles
hereby agrees to abide by and perform all terms, covenants, condi-
tions and agreements set forth therein.

COUNTY OF LOS ANGELES

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in
real property conveyed by the within deed
or grant to the County of Los Angeles, a
governmental agency, is hereby accepted un-
der authority of a resolution adopted by the
Board of Supervisors of said County on Sep-
tember 10, 1957, and the Grantee consents to
the recordation thereof by its duly author-
ized officer.

By: Chairman, Board of Supervisors

10-27-58